

County Pretrial Release Programs: Calendar Year 2023

Report 24-12

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OPPAGA

Office of Program Policy Analysis and Government Accountability

County Pretrial Release Programs: Calendar Year 2023

EXECUTIVE SUMMARY

Pretrial release programs (pretrial programs) supervise defendants who have been released from jail while awaiting disposition of their criminal charges. As required by statute, OPPAGA conducts an annual study of pretrial programs that meet certain statutory criteria. OPPAGA administers surveys to gather information from the programs and clerks of court, as well as interviews and visits some programs. Thirty-two pretrial programs responded to the survey regarding 2023 operations and reported serving over 69,209 defendants. The surveyed programs vary in several ways that influence program operations and services (e.g., where programs are administratively housed and program size).

To remain on pretrial release, defendants must comply with all court-ordered conditions until the final disposition of their case. All pretrial programs reported a rate of less than 7% for participants failing to appear in court. Pretrial programs reported varying numbers of defendant rearrests. Most programs reported successful completion rates of over 70%.

In 2023, program expenditures totaled over \$47 million, with county funds comprising 96% of pretrial program budgets statewide. No program reported receiving state general revenue funds, while six programs reported receiving grant funds. Pretrial budgets ranged from \$33,500 (DeSoto County) to \$10 million (Broward County).

Statute requires each pretrial program to prepare a weekly register with information about program participants and an annual report of program activities and operations. Pretrial programs generally complied with these statutory requirements, with 31 programs providing OPPAGA with weekly registers and 31 programs providing an annual report. However, many programs did not include all of the statutorily required data elements in the registers or annual report. The Legislature could consider statutory modifications to update the annual report requirements to reflect best practices.

REPORT SCOPE

As directed by s. 907.044, *Florida Statutes*, the Office of Program Policy Analysis and Government Accountability conducts an annual study to evaluate the effectiveness and cost efficiency of pretrial release programs in Florida. The study's scope includes, but is not limited to, gathering information pertaining to the funding sources of each pretrial program; the nature of criminal convictions of defendants accepted into the programs; the number of failed court appearances by defendants accepted into each program; the number of warrants issued subsequently by defendants in each program; and program compliance with statutory reporting requirements.

BACKGROUND

In 2023, the Florida Department of Law Enforcement reported that 536,821 arrest events occurred throughout the state. Following arrest, defendants are booked or administratively processed into local jails. Booking is followed by a first appearance court hearing within 24 hours of arrest; at the hearing, defendants are informed of their charges and advised of their rights. Those unable to obtain release are detained in county jail until trial. If convicted and sentenced for one year or less, defendants serve their time in county jails. If convicted and sentenced for more than one year, defendants are transferred to a state prison facility.

Nationally, defendants in pretrial detention comprise approximately 70% of local jail populations. In 2023, Florida's jail population in pretrial detention was also 70%. According to the Florida Department of Corrections, as of December 2023, the average monthly total for Florida's pretrial jail population was 33,221 adult defendants, with an additional 212 juveniles; this represents a small decrease from the 2022 average monthly pretrial population of 33,751. (See Appendix A for program profiles that include county and jail population.)

Pretrial release is an alternative to pretrial detention that allows arrested defendants to be released while awaiting disposition of their criminal charges. Pretrial release is a constitutional right for most people arrested for a crime. Article I, section 14 of the Florida Constitution provides that persons charged with a crime are entitled to pretrial release on reasonable conditions unless: (1) the person is charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great; or (2) conditions of release cannot reasonably protect the community from risk of physical harm to persons, assure the presence of the accused at trial, or assure the integrity of the judicial process.

Pretrial release is generally granted in one of three ways. (See Exhibit 1.) The type of release the court grants an individual depends on a variety of factors including the nature and circumstances of the current offense, ties to the community, financial resources, need for substance use treatment, mental health condition, previous arrests, and court appearance history.

A 2024 review of state practices and programs regarding bail and pretrial release found that states reported that bail served a variety of purposes.¹ All 50 states specified that bail served the purpose of ensuring a defendant's later court appearances. Additionally, 43 states referred to the safety of the public, 34 states listed safety of another individual, 13 states named preventing obstruction of justice, 5 states cited compliance with release conditions, 5 states mentioned judicial integrity, and 2 states listed safety of the defendant or self (Virginia and New Hampshire). Forty-seven states specified multiple purposes for using bail. For example, the 2024 review stated that New Jersey cites court appearance, the safety of another, the safety of the public, prevention of obstruction of justice, and compliance with conditions as statutory purposes for bail. In contrast, three states (Arkansas, New York, and North Dakota) only reported using bail to ensure future court appearances.

¹ Petis, Lisel. *Navigating Bail Reform in America: A State-by-State Overview*. R Street, 2024. <https://www.rstreet.org/research/navigating-bail-reform-in-america-a-state-by-state-overview/>.

Exhibit 1

Pretrial Release is Generally Granted in One of Three Ways

1. Release on Recognizance. Allows defendants to be released from jail without posting bail or adhering to conditions such as drug testing.



2. Bail. Allows defendants to be released by monetary payment to the court (cash bond) or to a private bail bond agent (surety bond).¹ A surety bond requires the defendant to pay a non-refundable fee or bail bond premium (typically 10%) to the bail bond agent for the bail amount set by the court. If the defendant does not appear in court, the bail bond agent is responsible for paying the entire bail amount. Bail bond agents are not required to supervise defendants but have a vested interest in ensuring that clients keep their court dates and do not abscond.

3. Local Pretrial Release Programs. Allows defendants to be released under program supervision. Programs supervise defendants through various methods, such as contact requirements and electronic or global positioning system (GPS) monitoring. While defendants can be released without posting bail, judges may order defendants to post bail in addition to being supervised by programs.

¹ A cash bond is paid directly to the court 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. After the final disposition of the case, bond money will be refunded, minus any unpaid court fees, costs, and criminal penalties.

Source: OPPAGA analysis of pretrial release literature.

Many defendants are released through financial conditions such as posting bail or acquiring a bail bond. After an arrest, the judge may release defendants on their own recognizance (without a payment of money), with the expectation that they will appear for all court hearings. However, in many cases, defendants must make a monetary payment (i.e., bail) to be released before trial. Bail, or a portion of it, is returned to defendants when their trial is over. To avoid forfeiting this money, defendants must appear for pretrial hearings and trial. The most recent federal statistics show that financial conditions of release grew between 1990 and 2009. In 1990, 37% of pretrial releases included financial conditions, and that rate climbed to 61% in 2009. During the same period, the use of surety bonds more than doubled, from 24% to 49%. More recent statistics show continued growth, with the credit rating agency A.M. Best reporting that nationally, the amount of bail bond premiums collected increased 11.1% from 2016 to 2023.

The 2023 Legislature enacted Ch. 2023-27, *Laws of Florida*, which made several changes to pretrial detention and release. Effective January 1, 2024, these changes included limiting eligibility for pretrial release by making a presumption of detention for persons charged with dangerous crimes.² Before

² Chapter 2023-27, *Laws of Florida*, defines dangerous crimes as arson; aggravated assault; aggravated battery; illegal use of explosives; child abuse or aggravated child abuse; abuse of an elderly person or disabled adult, or aggravated abuse of an elderly person or disabled adult; aircraft piracy; kidnapping; homicide; manslaughter, including DUI manslaughter and BUI manslaughter; sexual battery; robbery; carjacking; lewd, lascivious, or indecent assault or act upon or in the presence of a child under the age of 16 years; sexual activity with a child, who is 12 years of age or older but less than 18 years of age by or at solicitation of person in familiar or custodial authority; burglary of a dwelling; stalking and aggravated stalking; act of domestic violence as defined in s. 741.28, *F.S.*; home invasion robbery; act of terrorism as defined in s. 775.30, *F.S.*; manufacturing any substances in violation of Ch. 893, *F.S.*; attempting or conspiring to commit any such crime; human trafficking; trafficking in any controlled substance described in s. 893.135(1)(c)4, *F.S.*; extortion in violation of s. 836.05, *F.S.*; and written threats to kill in violation of s. 836.10, *F.S.*

these changes, the courts had the discretion to release a person charged with a dangerous crime into a pretrial program with electronic monitoring on nonmonetary release. The legislation amended statute so that a person arrested for a dangerous crime may not be granted nonmonetary pretrial release at a first appearance hearing, if the court has determined there is probable cause to believe the person has committed the offense. In addition, the legislation required the court to consider the same factors used in determining bail when determining whether to impose nonmonetary conditions of pretrial release in addition to or in lieu of a monetary bond.^{3,4} The legislation also authorized the court to revoke pretrial release and order pretrial detention, if a person on pretrial release violates any condition of pretrial release in a material respect. The statute previously allowed the court to revoke pretrial release and order pretrial detention, if the court found probable cause to believe that a defendant committed a new crime while on pretrial release.

Additionally, the legislation required the Florida Supreme Court to issue a uniform statewide bond schedule that applies to certain offenses when the police, county jail, or pretrial release employees exercise their discretion to release a person on bond before their first appearance hearing. The uniform statewide bond schedule went into effect January 1, 2024.⁵ Circuit chief judges retain the discretion to increase the monetary bond; however, they must petition the Supreme Court for approval of a local bond schedule that sets bond at a lower amount than the statewide schedule. Many Florida counties also have bail bond schedules, with preset amounts based on the crimes committed. However, the judge has the ability to not use the schedule and set a higher amount, if they think it is necessary to protect victims and the community or to help ensure that the defendant will appear in court as scheduled.

If someone cannot pay the full bail amount, they may hire a bail bond agent who takes on the bail on behalf of the defendant via a surety bond or three-party guarantee. Unlike an individual who must pay the court the bail sum upfront, a bail bond agent takes on the bail as a debt that is paid to the court only if a defendant does not attend required court proceedings. For their services, bail bond agents require defendants to pay a premium payment of 10% of the bail amount. Bail bond agents gather information about a defendant such as their ties to and stability in the community and the severity of the crime to assess the risk of taking on the bail. In some cases, bail bond agents may require additional collateral (e.g., a house or car title) in addition to the premium. After taking on the bail, bail bond agents monitor released defendants through means such as requiring check-ins either in person or via a software application, which can also remind defendants of court dates. If a defendant fails to appear in court, the bail bond agents have 60 days to locate the defendant. If the defendant is not returned to court within 60 days, the bail bond agent is legally responsible to pay the court the full bail amount.

The Florida Department of Financial Services licenses and regulates bail bond agencies and agents; as of March 2024, there were 2,083 bail bond agents associated with 376 bail bond agencies throughout

³ Section [903.047, F.S.](#)

⁴ The nonmonetary conditions include requiring a defendant to maintain employment, or, if unemployed, actively seek employment; maintain or commence an educational program; abide by specified restrictions on personal associations, place of residence, or travel; report on a regular basis to a designated law enforcement agency, pretrial services agency, or other agency; comply with a specified curfew; refrain from possessing a firearm, destructive device, or other dangerous weapon; refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance without a prescription from a licensed medical practitioner; undergo available medical, psychological, psychiatric, mental health, or substance use evaluations and follow all recommendations, including treatment for drug or alcohol dependency, and remain in a specified institution, if required for that purpose; return to custody for specified hours following release for employment, school, or other limited purposes; and any other condition that is reasonably necessary to assure the appearance of the defendant at subsequent proceedings and to protect the community against unreasonable danger of harm.

⁵ The Florida Supreme Court created Administrative Order No. [AOSC23-88](#) outlining the uniform statewide bond schedule.

the state.^{6,7} The department is also responsible for investigating complaints filed against bail bond agents. Department staff previously reported that many of these complaints are for technical violations, such as violating sign placement and business hour requirements. County clerks are required to report bail bond agents to the department for failing to pay a bond when a client fails to appear in court. The clerk may send the department, the Office of Insurance Regulation, and the county sheriff copies of the judgement that the bond has not been paid. In 2023, there were 649 judgements of unpaid bail made against licensed bail bond agents and three license revocations.

Pretrial programs may provide an alternative to cash bail or bail bonds. While bail bonds and bail bond agents provide one way to obtain pretrial release, another is participating in a local pretrial release program, if available. To remain in the program and on pretrial release, defendants must comply with all court-ordered conditions until the final disposition of their case. If they do not comply, a warrant can be issued for their arrest. In addition to making court appearances and not being rearrested, pretrial programs can impose other varying levels of release conditions, including telephone reporting, counseling, drug and alcohol testing, and electronic monitoring. Florida law creates a presumption in favor of pretrial release on nonmonetary conditions for defendants granted release unless they are charged with a dangerous crime.^{8,9}

Most states offer pretrial services or programs. A 50-state review found that pretrial services are available statewide in 10 states, can be used where available in 30 states (including Florida), and have limited use in 1 state (Washington); nine states give no direction in statute or court rule regarding the use of pretrial services.¹⁰ Although the study found that 40 states have services available statewide or for use when available, a lack of specification on the type of services available as a bond condition can lead to state-by-state variation in the use of services as a bond condition. For example, Washington, the state with limited use of pretrial services as a bond condition, restricts service provision to those who have not been arrested for violent or sex offenses, unless on a secured bond.

Florida pretrial programs are not statewide entities; instead, the programs are operated by local agencies such as sheriffs' offices, county and circuit courts, and boards of county commissioners. However, Florida statutes do provide guidance on what is considered a pretrial program and certain tasks that programs must complete yearly. The Citizens' Right-to-Know Act, s. 907.043, *Florida Statutes*, defines a 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.

Additionally, the act provides reporting requirements for pretrial programs in Florida. Pretrial programs must prepare and update weekly registers displaying relevant information about defendants released into pretrial release. Further, each pretrial program must submit an annual report for the previous calendar year to the program's local governing body and to the clerk of the

⁶ Requirements for bail bond agents are specified in Ch. 648, F.S., and r. 69B-221.001, F.A.C.

⁷ As of July 2023, the Department of Financial Services may not issue a temporary bail bond agent license. An individual currently licensed as a temporary bail bond agent may not be reinstated if their license expires or is terminated, suspended, or revoked.

⁸ Section 907.041(3)(a), F.S.

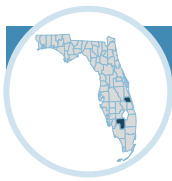
⁹ Pursuant to s. 907.041(3)(a), F.S., a defendant who is charged with a dangerous crime and released must be released on financial conditions if such conditions are necessary to assure their presence at proceedings, protect the community from risk of physical harm to persons, assure their presence at trial, or assure the integrity of the judicial process.

¹⁰ Petis, *Navigating Bail Reform in America: A State-by-State Overview*.

circuit court in the county where the program is located. Section 907.044, *Florida Statutes*, requires OPPAGA to conduct an annual study to evaluate the effectiveness and cost efficiency of pretrial programs in Florida. As part of the annual study, OPPAGA collects pretrial programs’ weekly registers from the clerk of the circuit court and annual reports from the programs to assess compliance with statutory requirements. In addition, OPPAGA administers a survey to gather additional information not contained in the pretrial programs’ weekly registers and annual reports.

The Association of Pretrial Professionals of Florida lists 40 local pretrial programs throughout the state. In some cases, these pretrial programs do not perform all the activities outlined in statute and instead make a local determination about whether to participate in weekly and annual reporting requirements and respond to OPPAGA’s annual survey. In 2024, OPPAGA found that two new pretrial programs were created in Hendry and Indian River counties. The Hendry County pretrial program was created as a new program, and Indian River County started its pretrial program after previously being a part of another county’s program. Additional pretrial programs that serve released defendants in the state may exist. (See Exhibit 2.)

Exhibit 2
Two Communities Created New Pretrial Programs in 2023 and 2024



OPPAGA Identified Two New Pretrial Programs

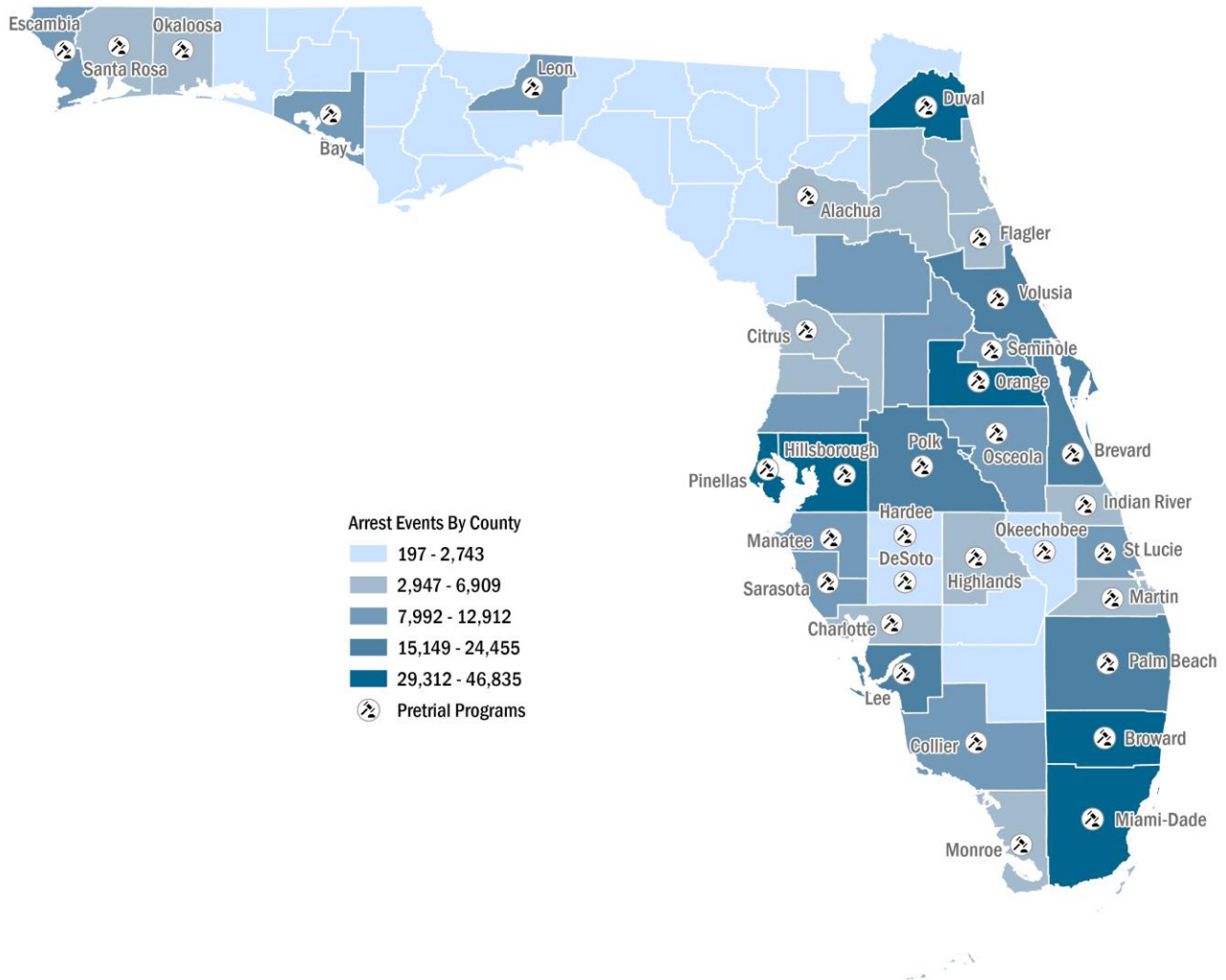
County	Administrative Placement	Program Creation
Hendry	Hendry County and Circuit Court	<ul style="list-style-type: none"> • Created to provide the court pretrial options. • Multiple stakeholders were involved in program creation, including the state attorney’s office, public defender’s office, judges, public safety coordinating council, mental health providers, and state and county probation offices. • Needs assessment was conducted via a pre-trial study in the local jail. • Launched in March 2024. • Uses the Florida Pretrial Risk Assessment.
Indian River	Indian River County Sheriff’s Office	<ul style="list-style-type: none"> • Created to decrease jail costs. • Previously operated by St. Lucie County. • Launched as a standalone program in 2023. • No major logistical changes from previous program according to program staff. • Uses the Florida Pretrial Risk Assessment.

Source: OPPAGA interviews with pretrial program staff.

OPPAGA surveyed 32 pretrial programs located throughout the state about program structure, requirements, and participants in calendar year 2023. (See Exhibit 3.) Thirty-one pretrial programs served a single county, but one served two counties—Okeechobee and St. Lucie. Thus, surveyed programs served 33 counties. Counties served by surveyed programs have varying arrest populations. For example, all six of the counties with the highest number of arrest events in 2023 (between 29,312 and 46,835 arrests) have pretrial programs, including Duval, Hillsborough, Miami-Dade, and Orange. However, some counties with relatively few arrest events (between 2,947 and 6,909), including Alachua, Flagler, and Highlands also have pretrial programs. Of the 29 counties with fewer than 2,743 arrests, 3 reported having a pretrial program—DeSoto, Hardee, and Okeechobee.

Exhibit 3

Pretrial Programs Responding to OPPAGA’s Survey Served 33 Counties with Arrest Populations of Varying Sizes



Note: One pretrial program serves St. Lucie and Okeechobee counties.

Source: OPPAGA survey analysis and Florida Department of Law Enforcement arrest data.

FINDINGS

Program Overview

Pretrial release programs differ in structure and process due to local needs and preferences

The pretrial programs that responded to OPPAGA’s survey vary in several ways, such as program size, structure, and processes. (See Appendix A for profiles of each program.) The variations in pretrial programs can be related to judicial administrative orders, which are issued by circuit chief judges to provide procedural and managerial direction of court affairs.¹¹ Judicial administrative orders may set eligibility criteria. For example, the St. Lucie County pretrial program’s administrative order specifies the use of criteria such as employment, community ties, criminal history, and mental condition to

¹¹ Florida has 20 judicial circuits ranging in size from one county to seven counties. A chief judge is chosen from among the judges in each circuit to carry out administrative responsibilities for the trial courts in that circuit. Of Florida’s 20 circuits, only the 3rd circuit (Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, and Taylor counties) does not have at least one pretrial program.

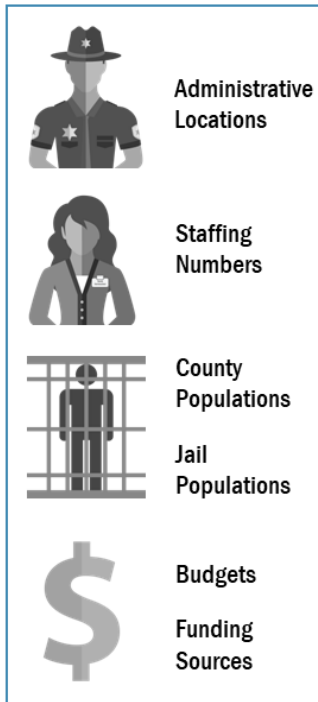
determine eligibility for pretrial release. The Hillsborough County pretrial program's release eligibility for Global Positioning System (GPS) monitoring requires that a defendant not be charged with a dangerous crime, be held with a total bond of \$5,000 or less and be in jail for at least 48 hours. Pretrial programs also vary in the types of criminal charges a participant may have for program acceptance. All pretrial programs allow defendants charged with misdemeanor offenses and non-violent felonies, while some also allow defendants charged with violent felonies. Judicial administrative orders may also outline program procedures. For instance, the administrative order for first appearance includes directives for Alachua County's pretrial program. The administrative order requires staff to interview defendants prior to their first court appearance and provide the court with investigation summaries for each defendant.

Pretrial programs conduct a variety of activities, including screening potential participants, making recommendations to the court, and supervising pretrial defendants. (See Exhibit 4.) Screening activities can include pretrial staff reviewing defendant documents, searching for defendants in various data systems (e.g., Florida Crime Information Center, National Crime Information Center, and Judicial Inquiry System), and interviewing defendants. Screening may also involve the use of a risk assessment tool. These tools gather information such as the nature of the current offense, parole or probation status, demographic information, substance use history, employment and education status, mental health history, and sex offender status to estimate defendants' risk of not showing up to court or committing an additional crime while released before their court hearing.

For several pretrial programs, screening defendants and providing information to the judge are primary activities. For example, in Alachua County the pretrial program has a specific team dedicated to screening defendants and creating summaries provided to the judges at first appearance. In contrast, other pretrial programs, such as Okaloosa County, staff conduct screenings with risk assessments before first appearance, conduct interviews after program admission, and supervise defendants on pretrial release. Judicial preferences guide how the pretrial program assessments are used in court. For example, according to survey responses and pretrial program interviews, some judges rely on the information more than others when making release decisions. Judges in five counties—Bay, Citrus, Flagler, Seminole, and St. Lucie—make release decisions without the programs providing assessment information.

All 32 pretrial programs supervise defendants; however, methods of supervision vary. For instance, 31 programs use multiple supervision services, such as telephonic check-ins, court reminders, alcohol and drug tests, and curfew restrictions. Only Citrus County uses electronic monitoring as its one supervision service. (See Appendix A for individual program services.)

Exhibit 4 Pretrial Programs Differ in a Variety of Ways

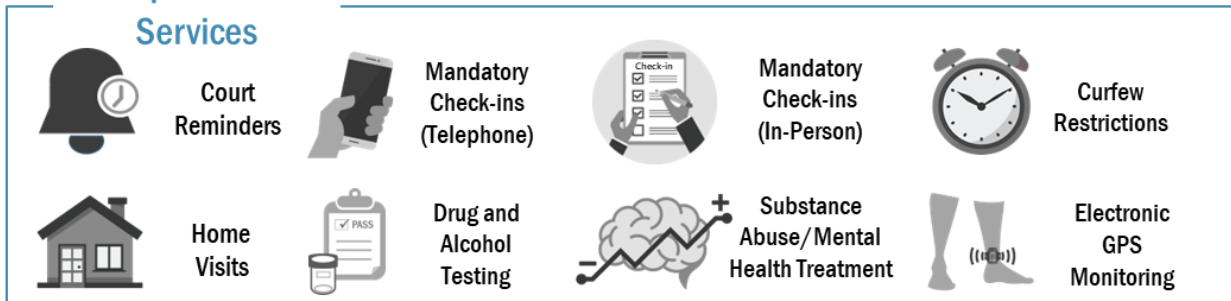


Program Overview: Pretrial staff size varied widely, with programs reporting staff sizes from 1 (Flagler) to 66 (Broward). Further, the jail incarceration rate differed considerably, ranging from 1.3 per 1,000 of the county population (Palm Beach) to 6.7 per 1,000 of the county population (Bay). Programs that responded to OPPAGA’s survey reported receiving most funding from county revenue whereas other funding sources included federal and grant funds. Pretrial budgets ranged from \$33,500 (DeSoto) to \$10 million (Broward).

Administrative Location: Pretrial programs are administratively housed in various locations, with 16 located under the board of county commissioners, 9 in the county or circuit court, 6 within the sheriff’s office, and 1 in county corrections. Some pretrial programs are housed in offices that manage other county programs, such as specialty courts or probation; other pretrial programs are placed in offices solely dedicated to pretrial release.

Program Activities: Pretrial programs conduct a variety of activities. OPPAGA’s survey found that 25 pretrial programs investigate pretrial detainees and 20 make pretrial release recommendations to the court. Many programs reported screening defendants for pretrial release in various ways, including document reviews, conducting interviews, and using a risk assessment tool. Most pretrial programs also reported providing a variety of supervision services. For example, 29 pretrial programs reported in-person check-ins, while 29 reported phone check-ins; 14 reported using automated check-in software; 27 reported conducting drug screenings; 20 reported using GPS monitoring; 23 reported monitoring curfew restrictions; and 1 reported conducting home visits.

Supervision Services



Defendants Served in 2023

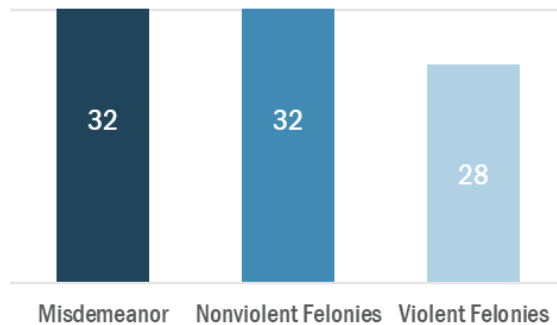
69,209 Total Defendants Served



Programs served 69,209 across the state. Programs varied in size, with the smallest (Citrus County) serving 121 and the largest (Broward County) serving 10,136.

Current Criminal Charges

Defendants with different criminal charges are ordered into pretrial programs by judges.



Source: OPPAGA analysis of pretrial program survey results.

Program Effectiveness

National standards and state accreditation provide guidelines for pretrial program best practices; Florida programs vary in implementation of these guidelines

National organizations such as the American Bar Association (ABA), National Institute of Corrections (NIC), and National Association of Pretrial Services Agencies (NAPSA) have recommended standards on pretrial release and pretrial programs.^{12, 13, 14}

These best practices include the following.

- **Program Screening and Information Verification.** NAPSA's standards recommend that pretrial programs collect and verify background and criminal history information on all bail-eligible defendants, assess the likelihood of future court appearance and arrest-free behavior while on pretrial release, and use information found during the background investigation to formulate appropriate release recommendations. The majority of Florida pretrial programs responding to OPPAGA's survey conduct screenings prior to a defendant's first appearance hearing and provide information to the presiding judge. Specifically, 20 pretrial programs reported making recommendations to the court regarding a defendant's release. Of these pretrial programs, 13 reported that in all cases of non-monetary release, pretrial staff certified to the court that they obtained defendant information prior to a release decision. A few pretrial programs reported an inability to verify all defendant information. For example, Palm Beach, Pinellas, and Seminole counties reported being unable to contact references prior to first appearance.
- **Risk Assessment.** NAPSA suggests programs use validated pretrial risk assessments to make release recommendations that are appropriate to specified risk factors (e.g., likelihood of returning to court). Most Florida pretrial programs use risk assessment instruments to screen defendants for release eligibility. Pretrial programs reported using risk assessments prior to first appearance to gather defendant information on substance use and mental health history, employment status, educational achievement, and criminal history. OPPAGA's survey of Florida's pretrial programs found that 19 of 32 responding programs used risk assessment tools in over 109,578 defendant screenings in 2023. Pretrial programs reported using nine different types of risk assessment tools. The most commonly used risk assessment tools include the Florida Pretrial Risk Assessment Instrument, used by six programs, and the Florida Pretrial Misconduct Risk Assessment Instrument, used by three programs.¹⁵

Other states also use pretrial risk assessments. Fourteen states require pretrial risk assessments as a part of the pretrial release decision, 17 must or may consider the risk assessment if available, 3 states (California, Illinois, and Pennsylvania) limit the use of pretrial

¹² *ABA Standards for Criminal Justice, Pretrial Release, 3rd Edition*. District of Columbia: American Bar Association, 2007. Accessed October 30, 2023. https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/pretrial_release.pdf.

¹³ U.S. Department of Justice, National Institute for Corrections. *Measuring What Matters: Outcome and Performance Measures for the Pretrial Services Field, 2nd Edition*. Vanek, Shaina, Robert M. Brown Jr., Holly Busby, Lori Eville. NCJ 033331. 2021. <https://s3.amazonaws.com/static.nicic.gov/Library/033331.pdf>.

¹⁴ *Standards on Pretrial Release: Revised 2020*. District of Columbia: National Association of Pretrial Services Agencies, 2020. Accessed October 31, 2023. <https://drive.google.com/file/d/1edS2bltwfNR0ieGeu1A6qKluTfzqop92/view>.

¹⁵ Assessments used by pretrial programs include the Virginia Pretrial Risk Assessment Instrument (VPRAI), the Public Safety Assessment (PSA), the Florida Pretrial Risk Assessment Instrument, the Florida Pretrial Outcome Assessment, the Florida Pretrial Misconduct Risk Assessment Instrument, the Lee County Risk Instrument, the revalidated Florida Risk Assessment, the Ohio Risk Assessment Tool, and the Applied Correctional Transition Strategy.

risk assessments, 16 states give no direction to using a pretrial risk assessment, and one state (Texas) does not allow the courts to use a pretrial risk assessments instrument in bail decisions.^{16, 17} While most of the states that offer no direction on risk assessments (15) do not provide any relevant statutory language, one state (Utah) provided administrative code related to the collection of information to determine release.

- **Supervision.** The goal of pretrial supervision is to ensure court appearance and promote compliance with court-ordered conditions through targeted interventions such as telephonic reporting and drug and alcohol testing. According to ABA's and NAPSA's standards, supervision should be individualized to a defendant's assessed risk level. Additionally, defendants should be placed on the least restrictive conditions necessary to assure the defendant's future court appearance and arrest-free behavior. Conditions should not be used for punishment or rehabilitation.¹⁸

Pretrial programs use several activities, including supervision, telephonic reporting, electronic monitoring, and drug testing (e.g., Transdermal Alcohol Detector Monitoring and Secure Continuous Remote Alcohol Monitor) to monitor compliance with court-ordered conditions. Judges have discretion regarding the imposition of conditions they may place on pretrial program participants based on what best serves community safety and local supervision activities. For example, although most pretrial programs (22 of 32) report offering two or more services, only Citrus County uses electronic monitoring as its one supervision service.

In addition, to help facilitate court appearance, all defendants have access to the free Florida Court Event Notification System.¹⁹ The platform allows individuals to register with a telephone number or email to receive reminders of the date, time, and location of upcoming court events. Reminders are sent 1, 7, and 14 days before the appearance date. In addition, many pretrial programs also utilize other methods to remind defendants of their court date, including pretrial program staff, case managers, or court service officers calling to remind participants, or private company software (e.g., AIMS, OffenderLink, TYLER Supervision, AutoMon, UPTRUST, and Corisoft) where pretrial staff enter a participant's upcoming court date into the system, and it automatically sends reminders to participants.

- **Financial Conditions.** ABA's standards recommend releasing defendants with financial conditions only when no other conditions will ensure court appearance and that financial conditions not be used to respond to public safety concerns. Similarly, NAPSA best practices recommend not using financial conditions (e.g., bond) in conjunction with pretrial programs as a condition of release. While defendants may be released to pretrial programs without posting cash bail or bail bond, 30 programs accepted both secured defendants who posted bail or bond and nonsecured defendants who are not required to post bail or bond, while Hillsborough County only accepted secured defendants and Pinellas County only accepted nonsecured defendants. Twenty-two pretrial programs reported the number of secured versus nonsecured defendants served in 2023, with the percentage of secured and nonsecured defendants varying significantly. For example, Palm Beach County reported 957 secured defendants and 3,608

¹⁶ Petis, *Navigating Bail Reform in America: A State-by-State Overview*.

¹⁷ California, Illinois, and Pennsylvania may consider using risk assessments if available, but also have statutes limiting the use. Minnesota may consider using a risk assessment, but it is required in specific cases.

¹⁸ See OPPAGA Report [23-12](#) for a literature review on pretrial program services.

¹⁹ The system was launched statewide in 2020 through collaboration between the Legislature and the Florida State Courts System, Florida Court Clerks and Comptrollers, and Clerks of Court Operations Corporation.

nonsecured defendants, while Collier County reported 1 secured defendant and 295 non-secured defendants.

- **Standardized Data Collection and Reporting.** National organizations emphasize the importance of standardizing data collection and reporting of pretrial programs. NAPSA suggests pretrial programs use the NIC-recommended key metrics to gauge program success. These measures include outcome measures and performance measures. Outcome measures include release rate, court appearance rate, public safety rate, and success rate. Performance measures include screening rate and recommendation rate. Another set of important measures are operational measures. Operational measures include caseload ratio and average time on pretrial supervision.²⁰

In 2012, the Bureau of Justice Statistics contracted with the Urban Institute to assess the feasibility of collecting data from pretrial programs. The institute recommended specific defendant case-level information that programs should collect to facilitate calculating recommended aggregate outcome and performance measures.^{21,22} In addition, the Urban Institute recommended that programs and court systems collect operational information regarding court and program processes; this information includes number of releases by the court, type of release, caseload ratio for pretrial programs, and time on pretrial supervision. In 2020 and 2022, the Bureau of Justice Statistics awarded funding to the Research Triangle Institute to collect and assess pretrial data from a sample of the 200 largest U.S. counties to estimate trends used to make release decisions, pretrial release methods, and patterns of misconduct once a defendant is released. The research results are not yet available on the bureau's or institute's websites.

While Florida's pretrial programs are statutorily required to report some information (e.g., defendant characteristics and program operations), statutory requirements do not include the NIC or Urban Institute recommended metrics. The recommended key measures provide a description of program performance and outcomes. Representatives of Florida pretrial programs reported being able to calculate some of the recommended metrics. (See Exhibit 5.)

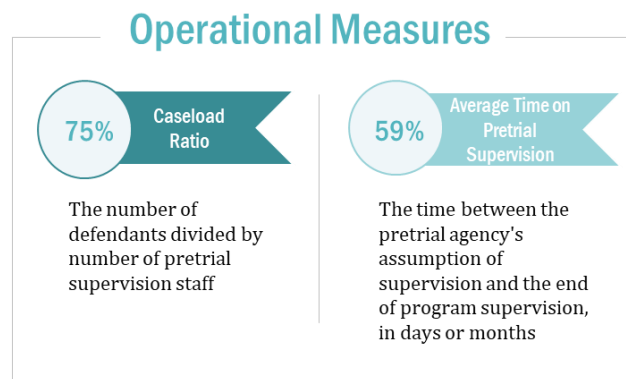
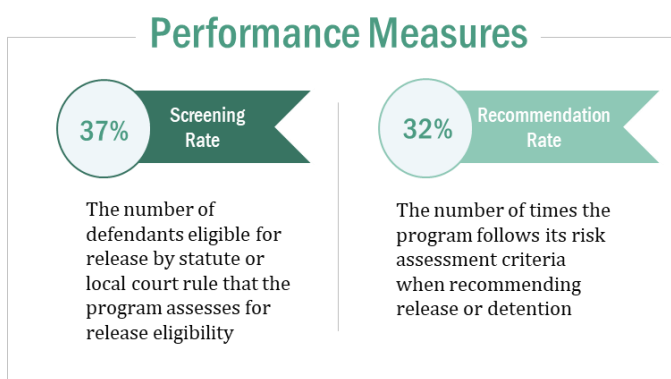
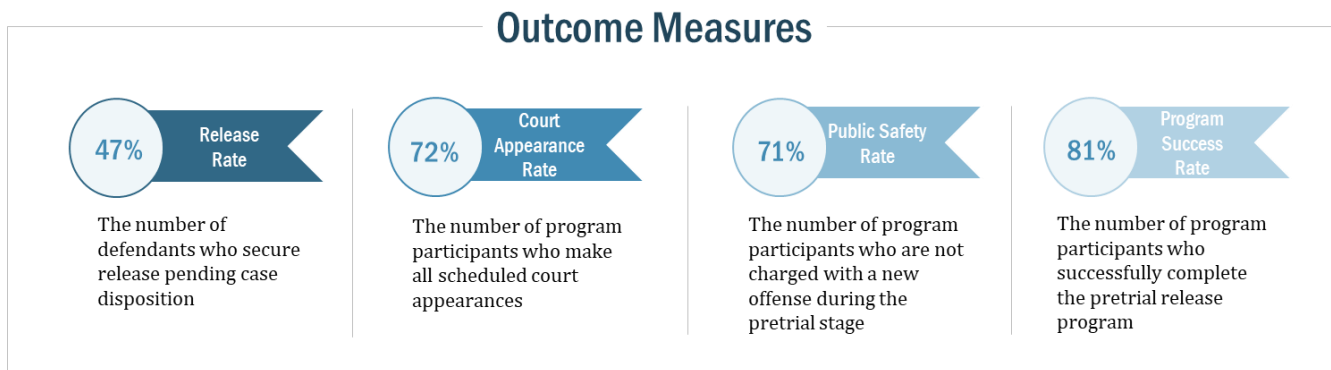
Pretrial program staff reported that the main barriers to calculating these recommended metrics include data collection limitations, with 11 of 32 programs reporting that the case management system was not able to calculate the recommended metrics. Pretrial programs reported using a variety of case management systems including AIMS, AutoMon, Correctional Software Systems, Integrated Justice Information System, Excel, and internal databases created by the programs. In addition, some pretrial programs do not make recommendations, so the programs would be unable to calculate the recommendation rate.

²⁰ See OPPAGA Report [23-12](#) for a literature review on key metrics and measurement best practices for pretrial release programs.

²¹ Three Florida agencies participated in the study: Duval, Orange, and Seminole counties.

²² Kim, KiDeuk, Rob Santos, Bill Adams, Annie Gurvis, Miriam Becker-Cohen, and Shebani Rao. *National Pretrial Reporting Program, Final Report*. District of Columbia: The Urban Institute, 2019. <https://bjs.ojp.gov/library/publications/national-pretrial-reporting-program-final-report>.

Exhibit 5
Some Pretrial Programs Report Having the Ability to Calculate Recommended Metrics



Source: OPPAGA analysis of pretrial program survey.

The Florida Corrections Accreditation Commission maintains standards for pretrial and probation agencies. The standards describe various program elements, such as personnel practices, organization and management, general safety, communication and conduct, reporting, investigations, first appearance and jail management, release and supervision, and probation monitoring.²³ Of the 32 pretrial programs responding to OPPAGA's survey, the commission reported accrediting nine programs for meeting those standards (Broward, Collier, Lee, Manatee, Orange, Osceola, Seminole, St. Lucie, and Volusia counties). Pretrial programs must apply and meet the commission's standards within two years to become accredited. At the end of the two-year period, there is a formal standards assessment. Re-accreditation takes place every three years and requires submission of annual reports and documentation of compliance with the standards.

The Association of Pretrial Professionals of Florida also encourages members to learn about and seek accreditation for their agencies. The association is a statewide organization of pretrial programs that aims to enhance professionalism through training and utilization of evidence-based practices that promote nonsecured release and public safety. The association educates members on the Florida Pretrial Risk Assessment Instrument and provides multiple trainings throughout the year on new legislation impacting pretrial and jail populations and the pretrial process in Florida.

²³ The accreditation program started in 2007.

Most participants complete the pretrial program successfully

OPPAGA is directed to evaluate pretrial program effectiveness and cost efficiency.²⁴ To gather information to facilitate such an evaluation, OPPAGA's annual survey includes questions about program operations, processes, activities, participant characteristics, number of successful completions, statutory compliance, and cost efficiency information, when available.

Successful pretrial program completion generally involves a defendant appearing at all court appearances, complying with court-ordered conditions, and avoiding rearrest until the end of their court case. Of 30 pretrial programs that provided data, 24 reported successful completion rates of 70% or higher. The lowest successful completion rate was 56% (Leon County), while the highest was 93% (Alachua and Duval counties). Collectively, pretrial programs reported an average rate of 76% successful completion in 2023. Successful completion rates suggest that pretrial programs release low-level defendants who appear at court, comply with court-ordered conditions, and avoid rearrest. (See Appendix A for individual program completion rates.)

Many pretrial programs do not collect data comparing outcomes of program participants on cash bail or surety bond (i.e., secured participants) and those without bond (i.e., nonsecured participants). However, eight pretrial programs provided OPPAGA information showing general trends in differences between these groups. Citrus, Flagler, Martin, and Osceola counties noted that there were no real differences, while several counties noted differences in outcomes for nonsecured and secured participants, with nonsecured participants experiencing greater success.

- Monroe: 90% of nonsecured participants had successful completions versus 73% of secured participants.
- Seminole: 93% of nonsecured participants had successful completions versus 86% of secured participants.
- Orange: 90% of nonsecured participants had successful completions versus 75% of secured participants.
- Indian River: 74% of nonsecured participants had successful completions versus 69% of secured participants.

While research exploring differences in characteristics between nonsecured and secured released defendants is scarce due to difficulty finding a suitable comparison group, these findings are consistent with a 2020 study of failure-to-appear rates among non-violent felony defendants in Orange County, California.²⁵ The authors found that individuals who received supervised release without bail were less likely to fail to appear than similar defendants who were released on cash bail.

Most pretrial program participants are compliant with court-ordered conditions

Pretrial program requirements aim to support the integrity of the judicial process and the safety of the community. Achieving high court appearance rates for released defendants is a key part of the mission of pretrial programs. Pretrial programs responding to OPPAGA's survey provided information on supervised defendants who failed to appear in court, with all programs reporting a failure-to-appear rate of less than 7%. The average failure-to-appear rate across the pretrial

²⁴ See OPPAGA Report [23-12](#) for a literature review on cost-benefit analysis of pretrial release and detention and pretrial program outcomes.

²⁵ Barno, Matt, *et al.* "Exploring Alternatives to Cash Bail: An Evaluation of Orange County's Pretrial Assessment and Release Supervision (PARS) Program." *American Journal of Criminal Justice* 45 (June 2020): 363-378. <https://link.springer.com/article/10.1007/s12103-019-09506-3>.

programs was 3%, with some programs reporting a failure-to-appear rate of less than 1%. Across the state, 2,167 participants failed to appear in 2023. (See Appendix A for individual program failure-to-appear rates.)

Another goal of pretrial programs is to reduce defendant rearrests for new crimes. Thirty-one pretrial programs serving 66,256 participants reported that 3,215 participants were arrested for a crime committed while in the program. The rearrest rate varied across pretrial programs from 0.3% (Alachua County) to 13.2% (Citrus and Seminole counties) of defendants being rearrested; the average rearrest rate across programs was 5%. (See Appendix A for individual pretrial program rearrest rates.) Pretrial programs reported that the most common rearrest charges were related to drug use, domestic violence, and traffic infractions (e.g., driving with a suspended license).

In addition to requiring participants to appear in court and not be rearrested before trial, the court can impose other release conditions, such as requiring check-ins with program staff, curfew restrictions, avoiding the use of drugs and alcohol, and submitting to drug and alcohol screenings. During calendar year 2023, 29 pretrial programs reported that 5,370 defendants were noncompliant with program conditions, with an average noncompliance rate across the programs of 9%. Pretrial programs explained that the most common noncompliance infractions included not maintaining contact with the program or checking in when required; not completing, or failing, required drug and alcohol tests; and electronic monitoring violations (e.g., not adhering to curfew restrictions).

The court revokes release for most participants who fail to appear or commit a new offense

Defendants' behavior while in pretrial programs can result in the court revoking their release. Potential causes for revocation of release include failure to appear in court, noncompliance with program conditions, and arrest for a new crime. If the pretrial program participant falls into any of these categories, the program notifies the court, and the judge decides whether to revoke the defendant's release. Instead of revoking a defendant's release, judges may keep them in the program. In OPPAGA's survey, pretrial programs reported that in 2023, the court revoked release for 1,759 participants for failing to appear in court, 81% of all participants who failed to appear. Pretrial programs reported that the court revoked the release of 3,183 participants, 99% of all participants who committed a new offense.

Similar to other processes, differences in revocation practices can be impacted by administrative orders. For example, an administrative order for the Palm Beach County pretrial program requires the program to file an affidavit for a participant to be revoked for violation of any condition of release. In contrast, an administrative order for the First Circuit Court, which includes Escambia, Okaloosa, and Santa Rosa counties' pretrial programs, states that an infraction may result in the revocation of release. Additionally, pretrial programs' use of technology such as GPS or continuous alcohol monitoring may impact revocation rates since the constant monitoring of these tools results in almost immediate alerts of noncompliance, which can result in a timely sanction response.

Cost Efficiency

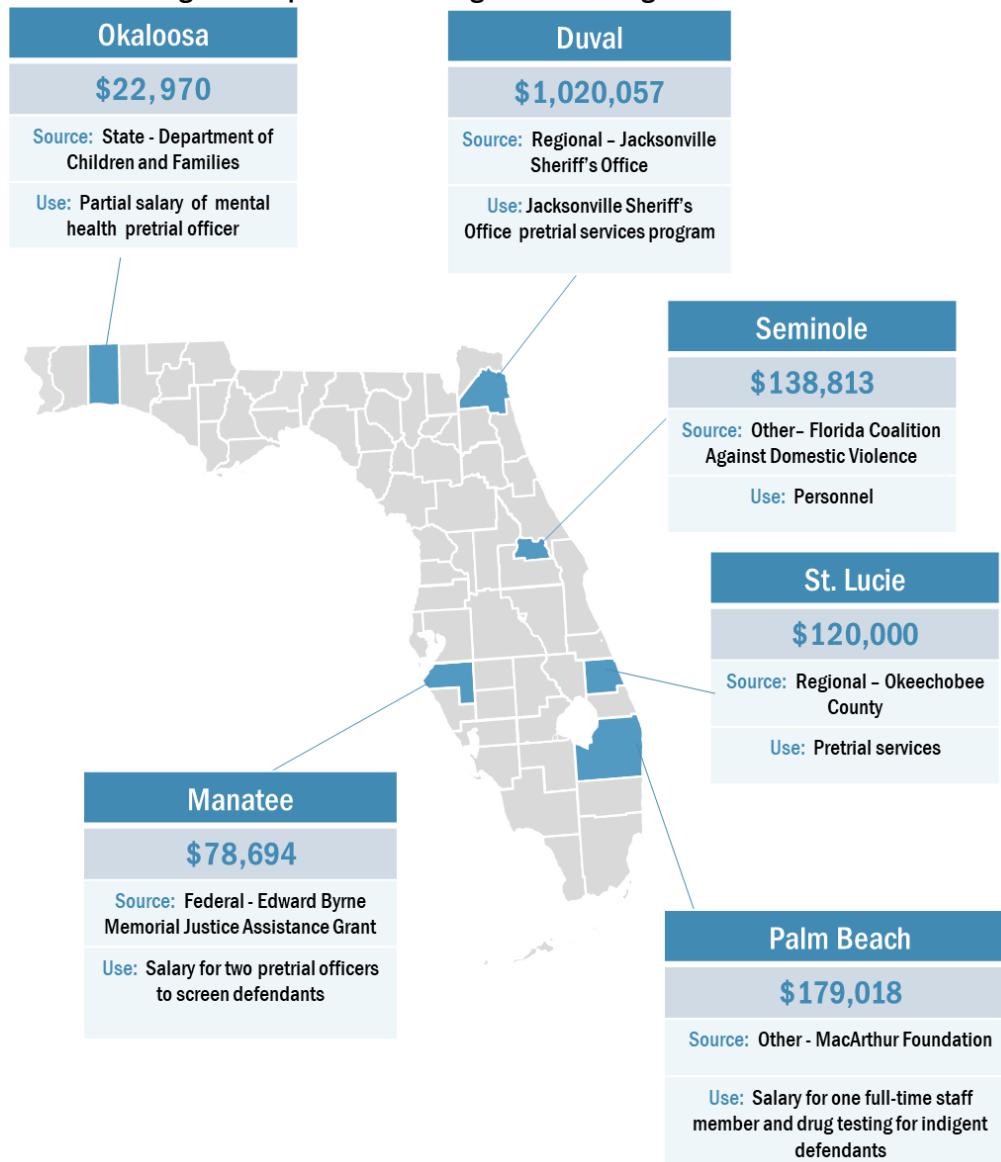
Pretrial programs received most funding from county revenue, with five programs receiving grant funds

Florida's pretrial programs are primarily funded by county governments. In 2023, program budgets totaled over \$47 million, with county funds comprising 96% of program funds. Pretrial budgets

ranged from \$33,542 for the DeSoto County program (which served 431 participants) to \$10 million in Broward County (which served 10,136 participants). Survey respondents reported that pretrial programs did not directly receive state general revenue.

Six pretrial programs reported receiving grant funds from various sources. These grant funds ranged from \$22,970 in Okaloosa County to \$1.0 million in Duval County. (See Exhibit 6.) Of the six pretrial programs that reported receiving grant funds, sources varied across programs. For example, Manatee County’s pretrial program reported receiving federal funds from the Edward Byrne Memorial Justice Assistance Grant, while Palm Beach County received grants from the MacArthur Foundation and Okaloosa County received a grant from the Florida Department of Children and Families. Grant funding enables pretrial programs to enhance current services by acquiring additional resources such as screening staff and mental health officers. Other pretrial programs used funds to administer the county’s pretrial services program or to fund specific services such as drug testing.

Exhibit 6
Six Pretrial Programs Reported Receiving Grant Funding in Calendar Year 2023



Source: OPPAGA analysis of pretrial program survey responses.

Only six programs assess supervision fees for defendants to participate in pretrial release; however, many programs charge defendants fees for services

The services for which defendants are required to pay vary by county, and in cases involving multiple services, fees are charged separately for each service. For example, six pretrial programs—Brevard, Hardee, Lee, Leon, Palm Beach, and Santa Rosa counties—reported charging defendants supervision fees in addition to receiving county and grant funds. For example, defendants are charged a one-time supervision fee of \$100 in Santa Rosa County, compared to the monthly supervision fees of \$40 in Leon County and \$50 in Hardee and Lee counties. Brevard County’s pretrial program collected a \$10 supervision fee from participants on a weekly basis. Several pretrial programs reported charging defendants for drug screenings. For instance, Collier County reported charging defendants \$6.75 per drug test, while Bay County reported charging defendants \$45 per drug test. Pretrial programs also reported charging defendants for other services, like alcohol use screenings or electronic monitoring.

Pretrial programs remitted collected fees to service vendors, program or county revenue funds, and the court. Nine pretrial programs reported that defendant’s fees were remitted to vendors for GPS or electronic monitoring, and nine programs reported that defendant’s payments were remitted to vendors for drug screenings; in some programs, like Martin County, vendors collected revenue directly from participants. Additionally, 15 pretrial programs reported that defendant fees were directed to program or general county revenue. Most pretrial programs reported that a defendant’s inability to pay fees does not preclude participation in pretrial programs; 15 programs reported that fees could be waived through judicial discretion, hardship, indigence, or community service. However, Orange County reported removing defendants from the service who are unable to pay the associated vendor fee for telephonic reporting. In a 2023 interview, the pretrial program explained that when defendants cannot pay the telephonic reporting service fee, they may be stepped down from phone check-ins to in-person reporting. (See Appendix B for fees charged to defendants for services.)

Limited information is available on the cost-effectiveness of Florida’s pretrial programs

Pretrial programs provide savings by reducing the need for jail space and costs associated with incarceration, such as building maintenance and staffing. If the number of detained defendants awaiting trial decreases, operational costs for detention facilities also decrease. Cost savings can vary because the delivery of pretrial services differ significantly across programs. Some programs operate with fewer than five pretrial staff members. These programs include the Brevard County Pretrial Release Program (4 employees), the Santa Rosa County Pretrial Release Program (2 employees), and the Flagler County Pretrial Supervision Program (1 employee). In contrast, programs in more populated areas have considerably more pretrial employees. Specifically, Broward County Sheriff’s Office Pretrial Services has 66 employees and Miami-Dade Pretrial Service Bureau has 48 employees. Operating budgets for pretrial services can also widely vary, from \$33,542 for DeSoto County’s pretrial program to \$10 million for the Broward County Sheriff’s Office Pretrial Services program. Budgets vary due to factors such as the volume and type of cases.

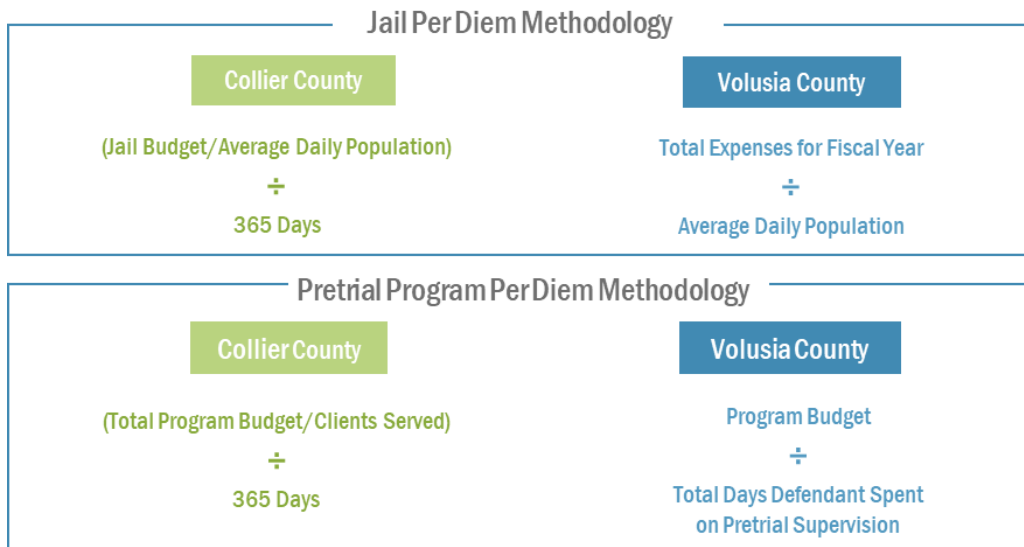
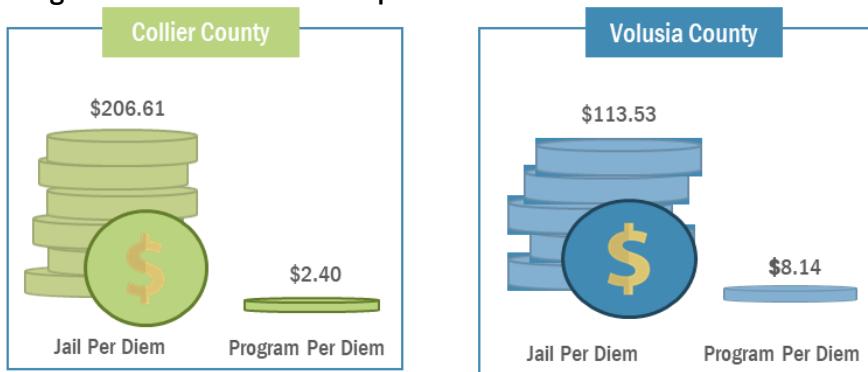
OPPAGA found that determining cost efficiency can be difficult due to these variations. Research shows that varying budget, staffing, workload levels, and access to resources may contribute to differences in costs among pretrial programs. Additionally, pretrial programs in rural and metropolitan areas may differ in working conditions and support services. Pretrial programs provided OPPAGA with limited information on cost efficiency. Twenty pretrial programs responded to OPPAGA’s survey questions on the average cost per day for pretrial program participants and jail inmates, with six pretrial program

respondents specifying that they do not know, track, or have a method for calculating the average cost per participant per day. Some pretrial programs provided detailed cost efficiency information. For example, Leon County reported diverting approximately 302,585 inmate days from the county’s detention facility resulting in savings of \$89.10 per inmate day and reported total cost savings of roughly \$27.0 million.

OPPAGA requested per diem methodologies from pretrial programs and from sheriffs’ offices.²⁶ Pretrial programs and sheriffs reported differences in the way the per diem rate is calculated.²⁷ (See Exhibit 7 for examples of these different methods.)

Because methodologies are not standardized among county jails and pretrial programs, direct comparison of cost efficiency is problematic. To calculate per diem cost, both pretrial programs and county jails use components such as budgets or expenditures, population counts, and the number of days in a year or the number of days a defendant spends in a pretrial program. These metrics help determine the cost per defendant for both jail and pretrial programs. However, regardless of methodology, the data collected by pretrial programs and from sheriff departments indicate that pretrial programs provide cost savings, relative to detention costs.

**Exhibit 7
Pretrial Program and Jail Per Diem Comparison**



Source: OPPAGA analysis of pretrial program and county jail per diem data.

²⁶ The Florida Sheriffs Association sent out OPPAGA’s survey to sheriffs across the state regarding their 2023 per diem rate and methodology.

²⁷ Per diem is the average cost per inmate per day for calendar year 2023.

Aside from direct savings to county governments, pretrial programs may also provide indirect economic benefits to a community. For example, a potential benefit of providing pretrial release to the accused is avoiding a wide variety of costs to defendants and the broader impacts resulting from incarceration such as participants' loss of income, housing, and other property and inability to support their families. Other potential implications of incarceration include damaged reputations and disruptions to family life. Recent research indicates that the impacts of detention to defendants should be weighed against the risks of pretrial release failure, such as reduced public safety and increased justice system-related impacts.²⁸

Statutory Requirements

Statute requires pretrial programs to submit weekly registers and annual reports

Florida statutes require pretrial programs to submit weekly registers reporting information on program participants and annual reports providing an overview of program operations and defendants served. (See Exhibit 8.) The Citizens' Right-to-Know Act requires each pretrial program to prepare a register containing descriptive information that must be updated weekly.²⁹ A copy of the register must be located at the office of the clerk of court in the county where the pretrial program is located and must be readily accessible to the public. The statute requires weekly registries to contain 11 items. Additionally, by March 31 every year, each pretrial program must submit a 15-item annual report covering the previous calendar year to the local governing body, such as the board of county commissioners, as well as the clerk of court's office in the county of operations.

Clerks reported receiving weekly registers and annual reports from county pretrial programs

Statute requires pretrial programs to send the annual report and weekly registers to the clerk of the circuit court in the county where the pretrial program is located.³⁰ To assess pretrial programs' compliance with providing these reports, the Association of Florida Court Clerks and Comptrollers distributed an OPPAGA survey to all clerks in the state. Of the 32 clerks in counties with pretrial programs, 17 responded. Thirteen of 17 responding clerks also reported receiving a weekly register from pretrial programs. Though four counties reported not receiving the weekly register or annual report, only one county (Miami-Dade) did not receive both. Thirteen of the 17 clerks reported receiving annual reports from the county's pretrial program. Clerks in DeSoto, Highlands, Leon, and Miami-Dade counties stated that pretrial programs did not provide their offices with weekly registers. The clerks in Flagler, Indian River, Miami-Dade, and Seminole counties reported not receiving annual reports.

Additionally, of the clerks who responded to the question about where and when weekly registers were available for public access, 8 county clerks reported that the registers were available online, 7 county clerks reported that registers were available in the office, and 2 reported that the registers were available in the office and online.

Florida's Citizen's Right-to-Know Act enables the public to access weekly registers, providing information about pretrial defendants who have been released and the nature of the charges against them. This law allows crime victims, for instance, to stay informed on court appearances required by defendants and any additional criminal violations. Weekly registers provide important information that may enhance safety measures for victims or any other individuals with concerns about their own

²⁸ See OPPAGA Report [23-12](#) for a literature review on cost benefit analysis of pretrial release and detention.

²⁹ Section [907.043\(3\)\(a\)-\(b\)](#), F.S.

³⁰ Section [907.043\(3\)\(a\), \(4\)\(a\)](#), F.S.

well-being. According to several county clerks, weekly registers have not been requested in recent years. Eight clerks mentioned that no requests have been made for weekly registers, and while three clerks reported receiving requests, these instances were rare or occurred only a few times. Clerks from Indian River, Lee, Martin, and Okaloosa counties do not track public requests for weekly registers due to availability of the registers online.

Exhibit 8

Florida Statutes Require Pretrial Programs to Produce Weekly Registers and Annual Reports

Weekly Register Requirements

1. The name, location, and funding source of the pretrial release program.
2. The number of defendants assessed and interviewed for pretrial release.
3. The number of indigent defendants assessed and interviewed for pretrial release.
4. The names and number of defendants accepted into the pretrial release program.
5. The names and number of indigent defendants accepted into the pretrial release program.
6. The charges filed against, and the case numbers of defendants accepted into the pretrial release program.
7. The nature of any prior criminal conviction of a defendant accepted into the pretrial release program.
8. The court appearances required of defendants accepted into the pretrial release program.
9. The date of each defendant's failure to appear for a scheduled court appearance.
10. The number of warrants, if any, which have been issued for a defendant's arrest for failing to appear at a scheduled court appearance.
11. The 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.

Annual Report Requirements

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. The name, location, and funding sources of the pretrial release program, including the amount of public funds, if any, received by the pretrial release program. 2. The operating and capital budget of each pretrial release program receiving public funds. 3a. The percentage of the pretrial release program's total budget representing receipt of public funds. 3b. The percentage of the total budget which is allocated to assisting defendants obtain release through a non-publicly funded program. 3c. The amount of fees paid by defendants to the pretrial release program. 4. The number of persons employed by the pretrial release program. 5. The number of defendants assessed and interviewed for pretrial release. 6. The number of defendants recommended for pretrial release. 7. The number of defendants for whom the pretrial release program recommended against nonsecured release. 8. The number of defendants granted nonsecured release after the pretrial release program recommended nonsecured release. 9. The number of defendants assessed and interviewed for pretrial release who were declared indigent by the court. 10. The number of defendants accepted into a pretrial release program who paid a surety or cash bail or bond. | <ol style="list-style-type: none"> 11. The number of defendants for whom a risk assessment tool was used in determining whether the defendant should be released pending the disposition of the case and the number of defendants for whom a risk assessment tool was not used. 12. The specific statutory citation for each criminal charge related to a defendant whose case is accepted into a pretrial release program, including, at a minimum, the number of defendants charged with dangerous crimes as defined in s. 907.041, <i>Florida Statutes</i>; nonviolent felonies; or misdemeanors only. 13. The number of defendants accepted into a pretrial release program with no prior criminal conviction. 14. The name and case number of each person granted nonsecured release who <ol style="list-style-type: none"> a. Failed to attend a scheduled court appearance. b. Was issued a warrant for failing to appear. c. Was arrested for any offense while on release through the pretrial release program. 15. Any additional information deemed necessary by the governing body to assess the performance and cost efficiency of the pretrial release program. |
|---|--|

Source: Section [907.043](#), F.S.

Program compliance with weekly register reporting requirements varied across elements

OPPAGA requested two samples of pretrial programs' 2023 weekly registers to assess program compliance with statutory reporting requirements.³¹ OPPAGA received at least one weekly register from 31 pretrial programs and analyzed the registers to determine if the documents included all the required elements.³² The analysis showed that pretrial programs generally complied. (See Exhibit 9.) For instance, OPPAGA verified that in 2023, 31 pretrial programs maintained the required weekly registers, and 13 sent the registers to the clerk of court. However, OPPAGA's analysis found that 27 pretrial programs did not report all required data, though in some cases certain elements did not apply to the program. For example, in St. Lucie and Okeechobee counties, pretrial release programs do not have access to certain information because staff members are not involved in assessments, interviews, or decisions about nonsecured release because the judiciary attends to these matters. Additionally, Palm Beach County does not recommend pretrial revocation based on infractions.

OPPAGA's review of weekly registers found that almost all pretrial programs reported the number of defendants accepted into the program and the participants' names. However, some pretrial programs did not provide other required elements. For example, 13 pretrial programs did not provide the name, location, and funding source of the program; 14 programs did not provide the number of indigent defendants assessed and interviewed for pretrial release; and 7 programs did not provide the nature of any prior criminal conviction of a defendant accepted into a pretrial program. As required by s. 907.043(3)(b)7, *Florida Statutes*, weekly registers should display the nature of any prior criminal conviction of any defendant accepted into the pretrial program.

³¹ OPPAGA requested that pretrial programs provide weekly registers from the weeks of May 1, 2023, and October 30, 2023, and analyzed the registers' content.

³² OPPAGA did not receive any weekly registers from Citrus County.

Exhibit 9

Number of Pretrial Programs Reporting Statutory Requirements for Weekly Registers

	Sample Week #1		Sample Week #2	
	Reporting	Not Reporting	Reporting	Not Reporting
Name, location, and funding source of the pretrial release program.	18	13	18	12
Number of defendants assessed and interviewed for pretrial release.	20	11	22	8
Number of indigent defendants assessed and interviewed for pretrial release.	17	14	18	12
Names and number of defendants accepted into the pretrial release program.	29	2	28	2
Names and number of indigent defendants accepted into the pretrial release program.	28	3	26	4
Charges filed against and the case numbers of defendants accepted into the pretrial release program.	30	1	29	1
Nature of any prior criminal conviction of a defendant accepted into the pretrial release program.	24	7	23	7
Court appearances required of defendants accept into the pretrial release program.	29	2	28	2
Date of each defendant's failure to appear for a schedule court appearance.	23	8	24	6
Number of warrants, if any, which have been issued for a defendant's arrest for failing to appear at a schedule court appearance.	26	5	26	4
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.	21	10	21	9

Source: OPPAGA analysis of pretrial program weekly registers for two weeks in 2023.

Most pretrial programs' annual reports did not include all statutory requirements

OPPAGA analyzed 31 pretrial programs' 2023 annual reports to determine if the reports contained the elements required by statute.³³ Compliance ranged from eight pretrial programs fulfilling all 14 requirements to one program fulfilling only 1 requirement. (See Exhibit 10.) The most common elements that were omitted include the

- specific statutory citation for each criminal charge;
- number of defendants whom a risk assessment tool was used to determine the release; and
- number of defendants accepted into a pretrial program with no prior criminal convictions.

Thirty annual reports provided administrative information for three key statutory requirements: program name, location, and funding sources; number of persons employed by the pretrial program; and operating and capital budget of each pretrial program receiving public funds.

With regard to reporting requirements for information about defendants, most pretrial programs provided the following information as mandated by statute.

- Number of defendants assessed and interviewed for pretrial release who were declared indigent by the court.
- Number of defendants recommended for pretrial release.
- Name and case number of each person granted nonsecure release who: (1) failed to attend a scheduled court appearance; (2) was issued a warrant for failing to appear; or (3) was arrested for any offense while on release through the pretrial program.
- Percentage of the pretrial program's total budget representing receipt of public funds; percentage of the total budget which is allocated to assisting defendants obtain release through a non-publicly funded program; and amount of fees paid by defendants to the pretrial program.

³³ OPPAGA did not receive an annual report from Citrus County.

Exhibit 10

Number of Pretrial Programs Reporting State Requirements for Annual Report

	Not Reporting	Reporting
The name, location, and funding sources of the pretrial release program, including the amount of public funds, if any, received by the pretrial release program.	2	29
The operating and capital budget of each pretrial release program receiving public funds.	2	29
The percentage of the program’s total budget representing receipt of public funds, total budget allocated to assist defendants obtain release through nonpublicly funded program, and amount of fees paid by defendants to the program.	5	26
The number of persons employed by the pretrial release program.	1	30
The number of defendants assessed and interviewed for pretrial release.	5	26
The number of defendants recommended for pretrial release.	4	27
The number of defendants for whom the pretrial release program recommended against nonsecured release.	7	24
The number of defendants granted nonsecured release after the pretrial release program recommended nonsecured release.	7	24
The number of defendants assessed and interviewed for pretrial release who were declared indigent by the court.	4	27
The number of defendants accepted into a pretrial release program who paid a surety or cash bail or bond.	11	20
The number of defendants for whom a risk assessment tool was used in determining whether the defendant should be released pending the disposition of the case and the number of defendants for whom a risk assessment tool was not used.	14	17
The specific statutory citation for each criminal charge related to a defendant whose case is accepted into a pretrial release program, including, at a minimum, the number of defendants charged with dangerous crimes as defined in s. 907.041; nonviolent felonies; or misdemeanors only.	16	15
The number of defendants accepted into a pretrial release program with no prior criminal conviction.	14	17
The name and case number of each person granted nonsecured release who failed to attend a scheduled court appearance, was issued a warrant for failing to appear and was arrested for any offense while on release through the pretrial release program.	9	22

Source: OPPAGA analysis of pretrial program 2023 annual reports.

RECOMMENDATIONS

OPPAGA's prior annual reports have made numerous recommendations for legislative consideration. Recommendations for statutory changes to improve data accuracy and uniformity and to streamline pretrial program reporting requirements remain valid options that the Legislature may wish to consider. (See Exhibit 11.)

Exhibit 11

Recommendations from OPPAGA's Prior Pretrial Release Reports

Recommendation

Amend statutory definition of pretrial release program. If the Legislature wishes for all pretrial programs to maintain weekly registers and produce annual reports, it could consider revising the statutory definition of a pretrial release program to read "Pretrial release program' means an entity, public or private, that supervises or electronically monitors defendants who are released pretrial." This would prevent those pretrial programs that do not conduct all three activities required in the current definition (i.e., investigating pretrial detainees, making pretrial release recommendations to the court, and electronically monitoring and supervising pretrial defendants) from being exempt from providing information because the law does not specifically apply to such programs.

Modify criminal history requirements. The statute requires pretrial programs to disclose to the public the nature of any prior criminal conviction of a defendant accepted into the program. Due to federal requirements, pretrial programs are limited as to what can be disclosed. To address this issue, the Legislature could consider removing the requirement that pretrial programs display specific criminal histories of defendants in weekly registers and instead require programs to provide an aggregate summary of criminal convictions. For example, the pretrial programs could provide in the annual report the total number of defendants who have convictions for prior violent felonies.

Amend weekly register reporting requirements. The information that pretrial programs are required to maintain in weekly registers is not consistent with the information programs must report in annual reports. Similarly, the information in the annual report that must be submitted to OPPAGA is not consistent with the information that OPPAGA is required to provide in its annual evaluation of the pretrial programs. Due to these inconsistencies, OPPAGA must request additional information from pretrial programs each year. The Legislature could consider revising the statutes to make pretrial programs' weekly and annual requirements and OPPAGA's requirements directly correlate.

Modify annual report requirements to reflect best practices. Consistent with OPPAGA's previous recommendations, the Legislature could consider additional statutory modifications to update the annual report requirements to reflect best practices. This could be achieved by adding outcome, performance, and operational measures that diverse pretrial programs can use to assess and report progress in ensuring defendants' court appearance and maintaining public safety.

- *Outcome measures* such as release rates (number of defendants who secure release before their case is disposed), rates of court appearance, public safety (new arrest) rates, and program completion success rates.
- *Performance measures* such as screening (percentage of defendants eligible for release by statute or local court rule that the pretrial program assesses for release eligibility), recommendation rates, and response to defendant conduct rates (frequency of pretrial program responses to compliance and noncompliance with court-ordered release conditions).
- *Operational measures* such as each court reporting the number of defendants released by the court, type of release (e.g., personal recognizance, pretrial release program, and cash or surety bond), and required release conditions; pretrial programs could also calculate caseload ratio (number of defendants divided by number of pretrial supervision staff) and average time on pretrial supervision.

Standardize public access to weekly registers. The Legislature could consider standardizing public access to weekly registers. The Citizen's Right-to-Know Act requires pretrial programs to produce weekly registers displaying relevant defendant information. Pretrial programs have various mechanisms to make this information available to the public, with some providing registers electronically and others making registers accessible in the office. One method of providing access to weekly registers in a more standardized manner could be to require the clerks of courts to list on the clerk's website the pretrial program's contact information (email and telephone number), which citizens can use to request the report. By providing the program contact information online, citizens could easily identify whom to contact to request the report.

Source: *Pretrial Release Programs' Data Collection Methods and Requirements Could Improve*, OPPAGA Report [10-66](#), December 2010, and *County Pretrial Release Programs: Calendar Year 2022*, OPPAGA Report [23-12](#), December 2023.

In addition to these prior recommendations, OPPAGA offers two supplementary options for legislative consideration. Specifically, addressing concerns that OPPAGA identified related to weekly register and annual report requirements would require statutory changes.

Amend statute requiring the clerk's office to post weekly registers. According to the clerks, the weekly reports are rarely requested by the public. Eight clerks mentioned that no requests have been made for weekly registers, and while three clerks reported receiving requests, these instances were rare or occurred only a few times. The Legislature could consider amending statute, removing the requirement of the clerk's office to post weekly registers and requiring pretrial programs to provide the report to the public when requested. This would accomplish OPPAGA's previous recommendation to standardize public access to the weekly registers. The statutory change would allow clerks to prioritize their limited resources.

Clarify annual report requirement. Section 907.043(4)(b)12., *Florida Statutes*, requires programs to list the specific statutory citation for each criminal charge related to a defendant whose case is accepted into a pretrial program, including, at a minimum, the number of defendants charged with dangerous crimes as defined in s. 907.041, *Florida Statutes*; nonviolent felonies; or misdemeanors only. The Legislature could consider clarifying this requirement to assist in the consistent interpretation and application of the law. Currently, pretrial programs report this in a variety of ways, and most do not include statutory citations for each criminal charge. If the Legislature's intent was to know the number of defendants charged with the different categories of crimes (e.g., dangerous crimes, nonviolent felonies, and misdemeanors), it could remove the requirement to list the specific statutory citation to decrease confusion and create more standardized program reporting using these broader categories.

APPENDIX A

Pretrial Release Program Profiles

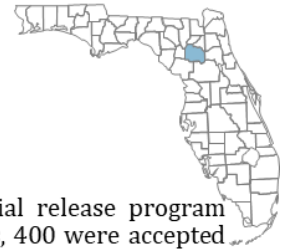
The following profiles provide the administrative location, program staffing, county population, jail population, and 2023 budget and funding source information for each of Florida's 31 pretrial programs that responded to OPPAGA's survey. The profiles also provide a narrative overview of program characteristics, including the number of defendants served in 2023, the types of criminal charges the program accepts, if the program charges participation fees, and a description of program activities. Pretrial program activities generally consist of mandatory check-ins via telephone or in-person, curfew restrictions, drug and alcohol testing, Global Positioning System (GPS) monitoring, and court reminders.




The profiles also provide information for several program outcomes, including

- average time a defendant is in the program for a successful completion;
- participant noncompliance;
- program court appearance rate and rearrest rate; and
- number of successful and unsuccessful exits from the program.

Some pretrial programs were unable to provide all of the information OPPAGA requested (e.g., some programs do not calculate the average time in the program); thus, such information is not included on every profile.

Alachua Pretrial Release Program-2023



	Administrative Location: Alachua County Board of County Commissioners Program Staff: 23
	County Population: 288,733 Avg. Daily Jail population: 823
	Budget: \$2 Million Source: Alachua County Government, General Revenue

Defendants Served: In 2023, the Alachua pretrial release program served **682 total defendants**. Of those defendants, 400 were accepted into pretrial release in 2023, while 282 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens pretrial detainees, makes pretrial release recommendations to the court, supervises participants, and electronically monitors pretrial defendants. The program administers the validated Florida Pretrial Risk Assessment Instrument to investigate pretrial detainees before the first appearance hearing to provide recommendations to the court. Pretrial staff conducts defendant interviews before the first appearance hearings, except for those with new arrests for out-of-county or out-of-state warrants, those that are reported as violent upon booking, uncooperative, hospitalized, suicidal, a state prisoner, and those whose mental health or intoxication levels do not allow for an interview.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services



**Mandatory Check-Ins
(Phone or In-Person)**



**Curfew
Restrictions**



**Drug and Alcohol
Testing**

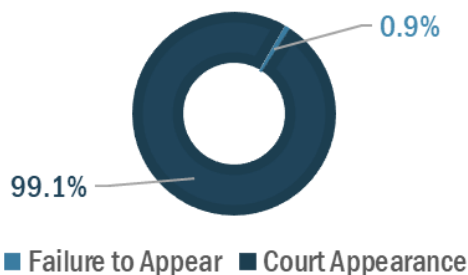


GPS Monitoring

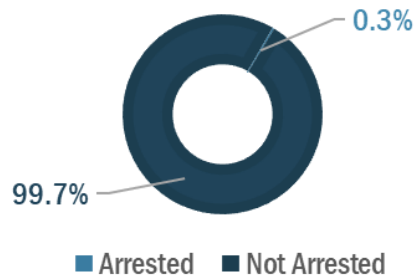
Pretrial Release Outcomes

32 participants were non-compliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE

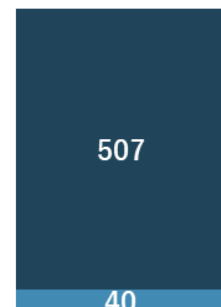


RE-ARREST RATE



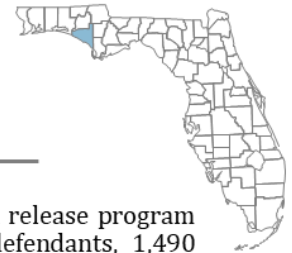
PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL PROGRAM EXIT: 4 MONTHS

Bay Pretrial Release Program-2023



	Administrative Location: Bay County Court Program Staffing: 2
	County Population: 184,593 Avg. Daily Jail population: 1,240
	Budget: \$101,753 Funding Source: Bay County Funds

Defendants Served: In 2023, the Bay pretrial release program served **2,017 total defendants**. Of those defendants, 1,490 were accepted into pretrial release in 2023, while 527 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program supervises participants but does not conduct defendant screenings or provide recommendations to the court. Judges provide pretrial release determinations at the first appearance hearings.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

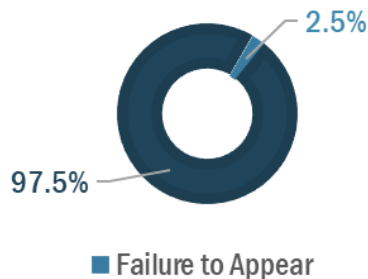
Mandatory Check-Ins
(Phone or In-Person)

Drug and Alcohol Testing

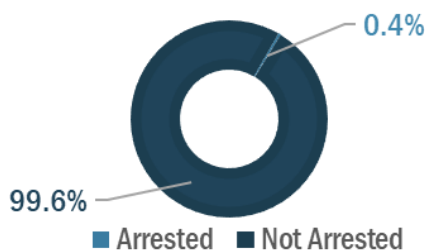
Pretrial Release Outcomes

201 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



RE-ARREST RATE



PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL PROGRAM EXIT: 4 MONTHS

Brevard Pretrial Release Program-2023



	Administrative Location: Brevard County Board of County Commissioners Program Staffing: 4
	County Population: 629,749 Avg. Daily Jail population: 1,453
	Budget: \$124,000 Funding Source: Brevard County Funds

Defendants Served: In 2023, the Brevard pretrial release program served 3,693 **total defendants**. Of those defendants, 1,736 were accepted into pretrial release in 2023, while 1,957 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens pretrial detainees, makes recommendations to the court, and supervises defendants. Following the initial screening, defendant profile sheets are given to the judge, defense attorney, and prosecutor. Although the judge makes the final release decision, both the defense attorney and prosecutor can make recommendations during the first appearance hearing.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

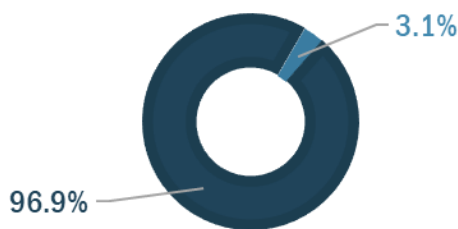
Supervision Services

Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Drug and Alcohol Testing

Pretrial Release Outcomes

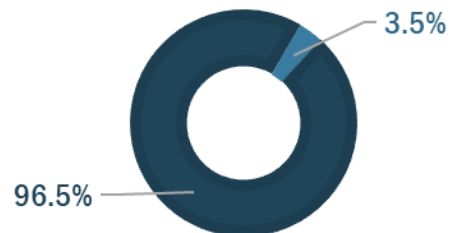
106 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



■ Failure to Appear ■ Court Appearance

RE-ARREST RATE



■ Arrested ■ Not Arrested

Broward Pretrial Release Program-2023



	<p>Administrative Location: Broward County Sheriff's Office</p> <p>Program Staffing: 66</p>
	<p>County Population: 2 million</p> <p>Avg. Daily Jail population: 3,583</p>
	<p>Budget: \$10 million</p> <p>Funding Source: Broward County Sheriff's Office</p>

Defendants Served: In 2023, the Broward pretrial release program served **10,136 total defendants**. Of those defendants, 5,099 were accepted into pretrial release in 2023, while 5,037 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors pretrial defendants. Risk assessments distributed to the court prior to the start of the hearing session. Additionally, although both the prosecutor and defense attorney can argue reasons for denial and entry, respectively, the judge has sole discretion over program entry.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

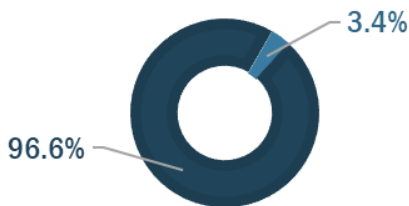
Supervision Services

 Mandatory Check-Ins (Phone or In-Person)	 Curfew Restrictions	 Drug and Alcohol Testing	 Electronic GPS Monitoring
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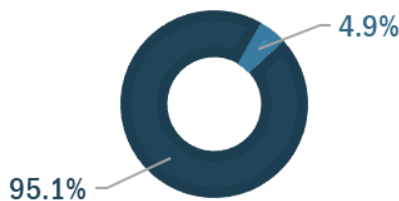
Pretrial Release Outcomes

1,278 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



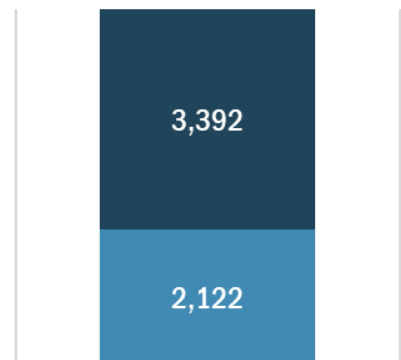
RE-ARREST RATE



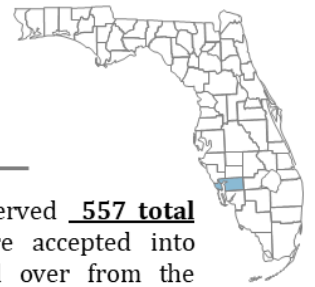
■ Failure to Appear
 ■ Court Appearance
 ■ Arrested
 ■ Not Arrested

PROGRAM EXITS

■ Successful Exits
■ Unsuccessful Exits



Charlotte Pretrial Release Program-2023



	<p>Administrative Location: Administrative Office of the Courts</p> <p>Program Staffing: 12</p>
	<p>County Population: 197,973</p> <p>Avg. Daily Jail population: 589</p>
	<p>Budget: \$732,298</p> <p>Funding Source: Charlotte County Board of Commissioners</p>

Defendants Served: In 2023, the program served **557 total defendants**. Of those defendants, 362 were accepted into pretrial release in 2023, while 195 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors defendants. The program also manages the county specialty courts, differentiated case management, and juvenile arbitration.

Program Success: The program defines a successful program exit as

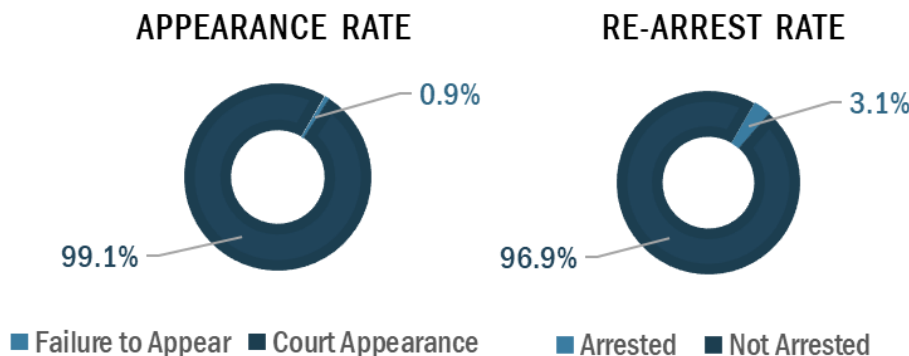
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

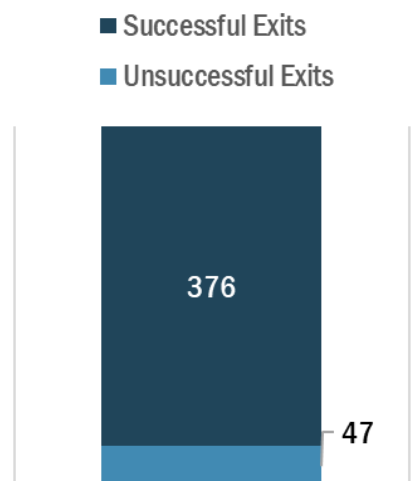
<p>Mandatory Check-ins (Phone or In-Person)</p>	<p>Curfew Restrictions</p>	<p>Drug and Alcohol Testing</p>	<p>Electronic GPS and Alcohol Monitoring</p>

Pretrial Release Outcomes

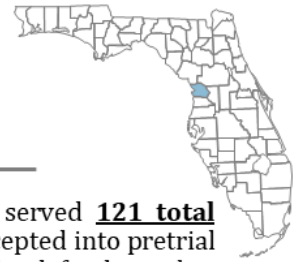
25 participants were noncompliant with program conditions other than failure to appear or new arrest.



PROGRAM EXITS



Citrus Pretrial Release Program-2023



	Administrative Location: Citrus County Board of County Commissioners Program Staffing: 2
	County Population: 158,714 Avg. Daily Jail population: 629
	Budget: \$83,452 Funding Source: Citrus County

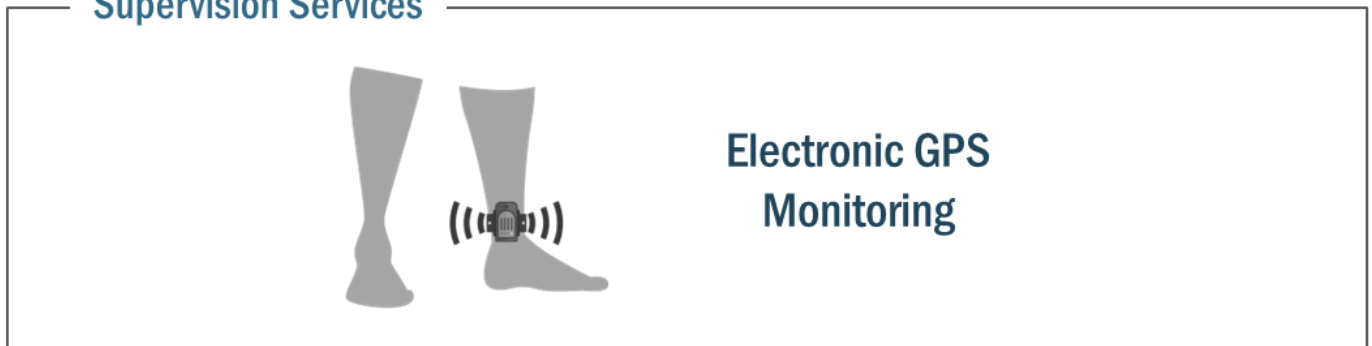
Defendants Served: In 2023, the program served **121 total defendants**. Of those defendants, 85 were accepted into pretrial release in 2023, while 36 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: Although the program electronically monitors pretrial defendants, it does not supervise defendants, conduct screenings, or provide recommendations to the court. In lieu of program screening, defendants are ordered into pretrial programming by judges. Defendants ordered into pretrial release are required to pay a fee of \$8 per day for GPS monitoring plus a \$3 clerk's fee per transaction.

Program Success: The program defines a successful program exit as

- Court-ordered GPS removal
- Receipt of a sentence
- Death
- Case Dismissal

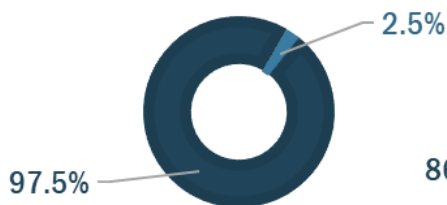
Supervision Services



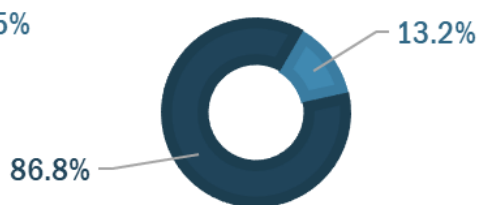
Pretrial Release Outcomes

9 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



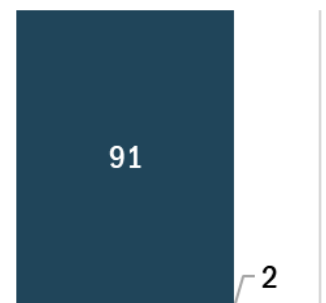
RE-ARREST RATE



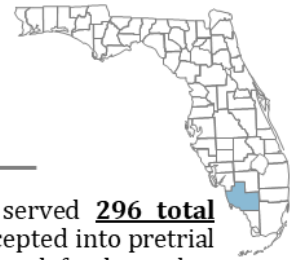
■ Failure to Appear
 ■ Court Appearance
 ■ Arrested
 ■ Not Arrested




PROGRAM EXITS

■ Successful Exits
■ Unsuccessful Exits



Collier Pretrial Release Program-2023



	Administrative Location: Collier County Sheriff's Office Program Staffing: 5
	County Population: 392,340 Avg. Daily Jail population: 760
	Fiscal Year Budget: \$261,386 Funding Source: Collier County Sheriff's Office

Defendants Served: In 2023, the program served **296 total defendants**. Of those defendants, 240 were accepted into pretrial release in 2023, while 56 carried over from the defendants that were accepted in 2022.

Defendant Charges: The program accepts defendants charged with misdemeanors and nonviolent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises pretrial defendants, and electronically monitors pretrial defendants.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services



Mandatory Check-ins
(Phone or In-Person)



Curfew Restrictions



Court Reminders



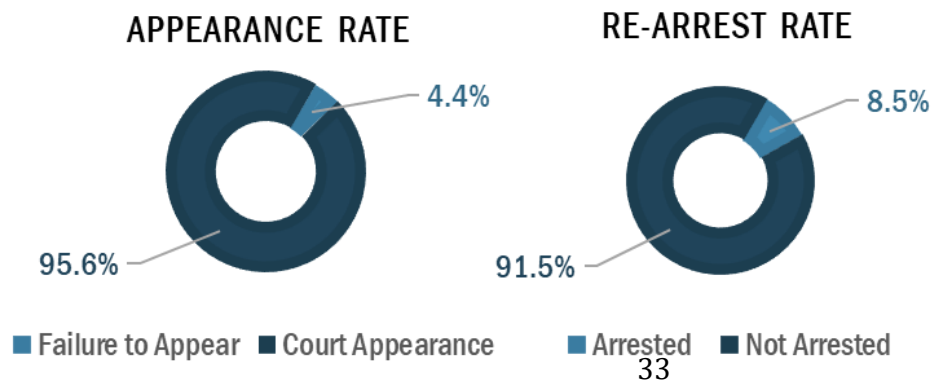
Drug and Alcohol Testing



Electronic GPS Monitoring

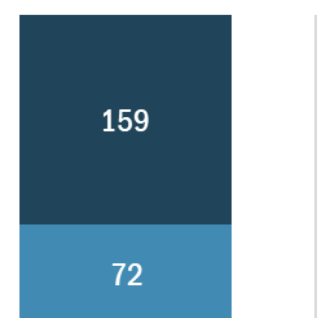
Pretrial Release Outcomes

30 participants were noncompliant with program conditions other than failure to appear or new arrest.

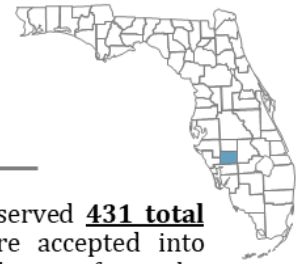



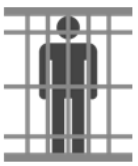

PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



DeSoto Pretrial Release Program-2023



	Administrative Location: DeSoto County Board of County Commissioners Program Staffing: 2
	County Population: 34,786 Avg. Daily Jail population: 175
	Fiscal Year Budget: \$33,542 Funding Source: DeSoto County Government, Board of County Commissioners


Defendants Served: In 2023, the program served **431 total defendants**. Of those defendants, 374 were accepted into pretrial release in 2023, while 57 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program makes pretrial release recommendations to the court, supervises pretrial defendants, and conducts electronic monitoring. However, the program does not screen defendants. The program administers the Virginia Pretrial Risk Assessment Instrument tool before the first appearance hearing. Screening packets are provided to the prosecutor, defense attorney, and the judge of the case to inform release determinations.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services




**Mandatory Check-ins
(Phone or In-Person)**



Court Reminders

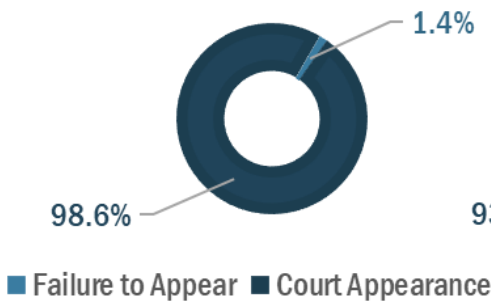


**Electronic GPS
Monitoring**

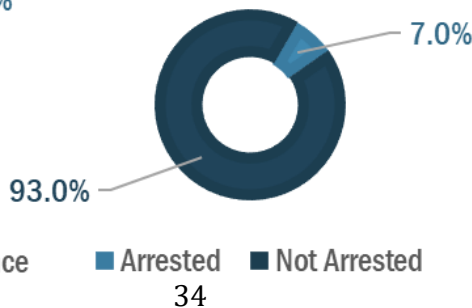
Pretrial Release Outcomes

0 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE

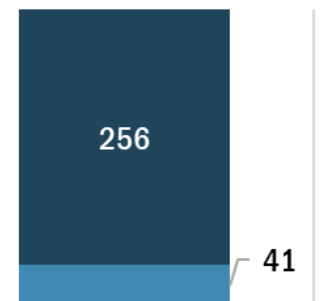


RE-ARREST RATE

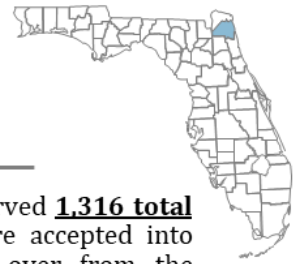





PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Duval Pretrial Release Program-2023



	Administrative Location: Jacksonville County Sheriff's Office Program Staffing: 9
	County Population: 1 million Avg. Daily Jail population: 3,739
	Budget: \$1 million Funding Source: Jacksonville Sheriff's Office

Defendants Served: In 2023, the program served **1,316 total defendants**. Of those defendants, 1,316 were accepted into pretrial release in 2023, while 0 carried over from the defendants that were accepted in 2022.





Defendant Charges: The program accepts defendants charged with misdemeanors and nonviolent felonies per judicial order. However, judges may also place individuals with violent felonies on pretrial release.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors individuals. The program administers the validated Florida Pretrial Risk Assessment Instrument tool to inform the defendants' level of supervision. Judges order defendants into pretrial release.

Program Success: The program defines a successful program exit as

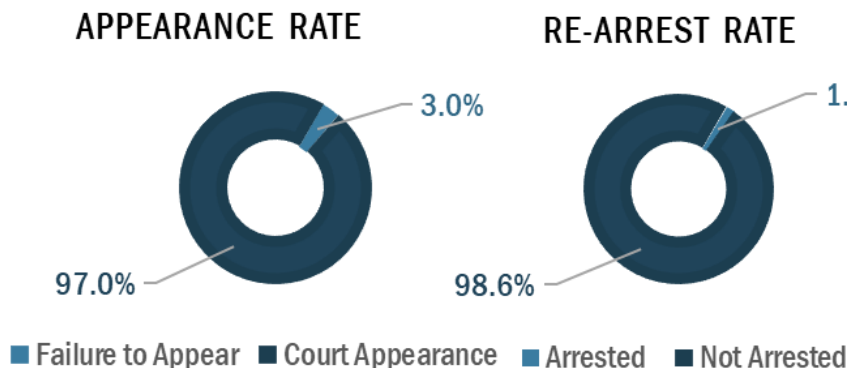
- No New Arrests
- No Technical Violations

Supervision Services

			
Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Court Reminders	Drug and Alcohol Testing

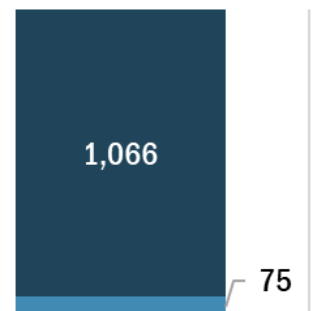
Pretrial Release Outcomes

113 participants were noncompliant with program conditions other than failure to appear or new arrest.

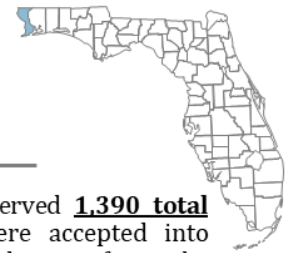


PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Escambia Pretrial Release Program-2023



	Administrative Location: Escambia County Board of County Commissioners Program Staffing: 8
	County Population: 330,228 Avg. Daily Jail population: 1,475
	Budget: \$918,645 Funding Source: Escambia County Board of County Commissioners

Defendants Served: In 2023, the program served **1,390 total defendants**. Of those defendants, 1,083 were accepted into pretrial release in 2023, while 307 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, supervises participants, and electronically monitors individuals but does not provide recommendations to the court. Jail staff screen defendants during booking. The program administers the Florida Pretrial Outcome Assessment tool to provide judges with relevant information to inform release determinations. While the state attorney and public defender make release recommendations at the first appearance hearing, judges make the final release determinations.

Program Success: The program defines a successful program exit as

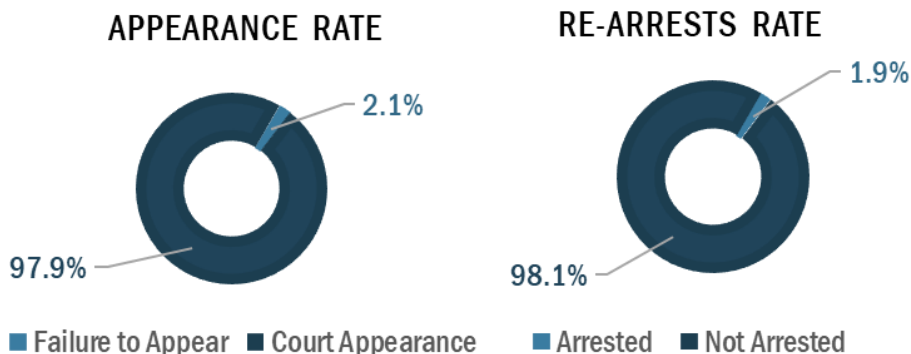
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Court Reminders	Drug and Alcohol Testing	Electronic GPS Monitoring

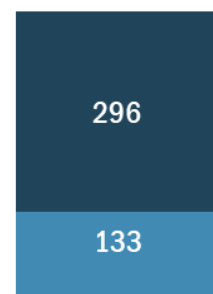
Pretrial Release Outcomes

91 participants were noncompliant with program conditions other than failure to appear or new arrest.



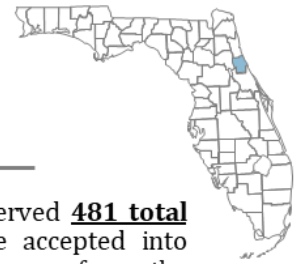
PROGRAM EXITS




- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL EXIT 10 MONTHS

Flagler Pretrial Release Program-2023



	Administrative Location: 7 th Judicial Circuit Court Program Staffing: 1
	County Population: 125,294 Avg. Daily Jail population: 263
	Budget: \$75,872 Funding Source: Flagler County Government

Defendants Served: In 2023, the program served **481 total defendants**. Of those defendants, 399 were accepted into pretrial release in 2023, while 82 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: While the program does not conduct defendant screenings or make recommendations to the court, the program supervises participants. The judge, prosecution, and defense council work together to make the final release decision.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

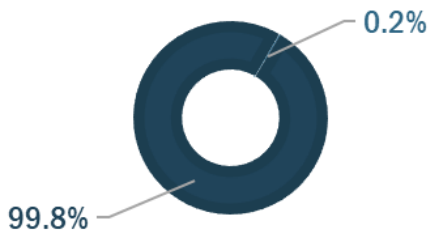
Supervision Services

 Mandatory Check-ins (Phone or In-Person)	 Drug and Alcohol Testing	 Electronic GPS Monitoring
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Pretrial Release Outcomes

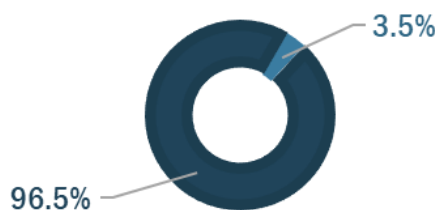
58 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



■ Failure to Appear ■ Court Appearance

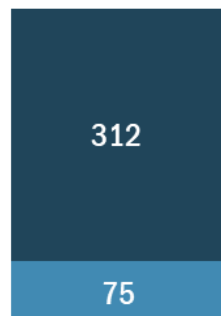
RE-ARREST RATE



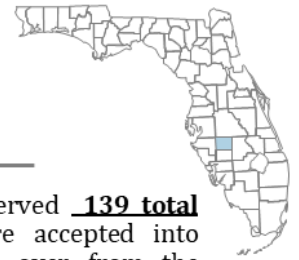
■ Arrested ■ Not Arrested

PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Hardee Pretrial Release Program-2023



	<p>Administrative Location: Hardee County Board of County Commissioners</p> <p>Program Staffing: 2</p>
	<p>County Population: 25,561</p> <p>Avg. Daily Jail population: 124</p>
	<p>Budget: \$168,835</p> <p>Funding Source: Hardee County Board of County Commissioners</p>


Defendants Served: In 2023, the program served **139 total defendants**. Of those defendants, 118 were accepted into pretrial release in 2023, while 21 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: While the program does not conduct defendant screenings or make recommendations to the court, the program supervises participants.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services



Mandatory Check-ins (In-Person)

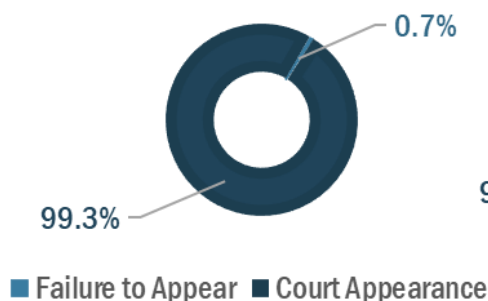


Court Reminders

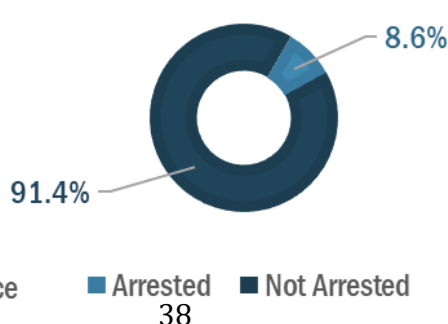
Pretrial Release Outcomes

7 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE

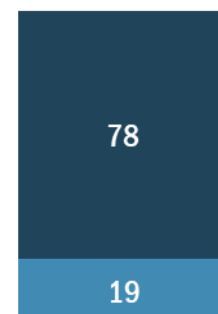


RE-ARREST RATE

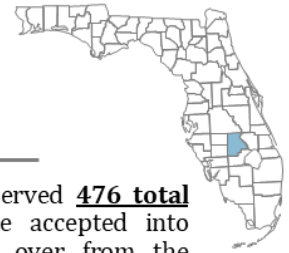


PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Highlands Pretrial Release Program-2023



	<p>Administrative Location: Highlands County Clerk of Courts</p> <p>Program Staffing: 2</p>
	<p>County Population: 103,316</p> <p>Avg. Daily Jail population: 493</p>
	<p>Budget: \$137,173</p> <p>Funding Source: Highlands County Funds</p>

Defendants Served: In 2023, the program served **476 total defendants**. Of those defendants, 379 were accepted into pretrial release in 2023, while 97 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, and supervises participants. Pretrial staff screen all first-time defendants before first appearance. Screening results are provided to judges, who are the sole decision makers in whether individuals are enrolled in pretrial release.

Program Success: The program defines a successful program exit as

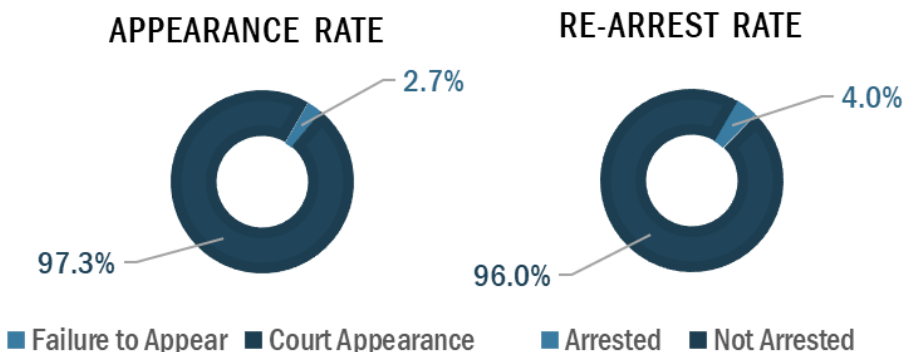
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

<p>Mandatory Check-ins (Phone or In-Person)</p>	<p>Curfew Restrictions</p>	<p>Drug and Alcohol Testing</p>

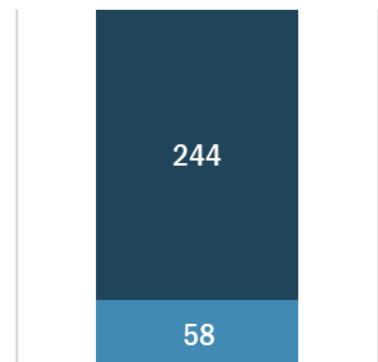
Pretrial Release Outcomes

26 participants were noncompliant with program conditions other than failure to appear or new arrest.

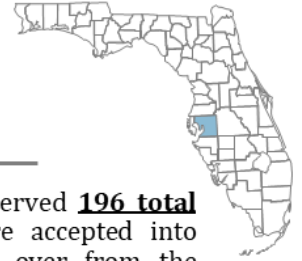





PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Hillsborough Pretrial Release Program-2023



	Administrative Location: Hillsborough County Sheriff's Office Program Staffing: 9
	County Population: 1.5 million Avg. Daily Jail population: 3,090
	Budget: \$143,000 Funding Source: Hillsborough County Sheriff's Office

Defendants Served: In 2023, the program served **196 total defendants**. Of those defendants, 174 were accepted into pretrial release in 2023, while 22 carried over from the defendants that were accepted in 2022.

Defendant Charges: The program accepts defendants charged with misdemeanors and nonviolent felonies per judicial order. In 2023, defendants charged with violent felony charges were no longer accepted.

Program Activities: The program supervises participants but does not give recommendations to the court. The program also oversees defendants on probation. To participate in the program, defendants must have a local residence in the county.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services



Mandatory Check-ins (In-Person)



Curfew Restrictions



Court Reminders



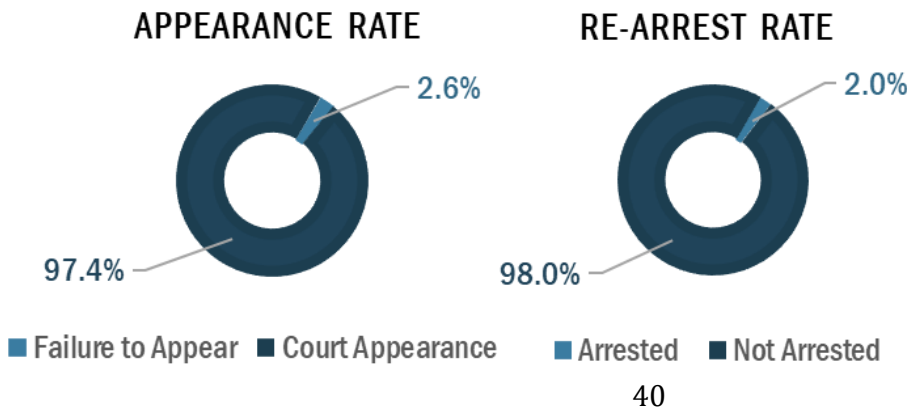
Drug and Alcohol Testing



Electronic GPS Monitoring

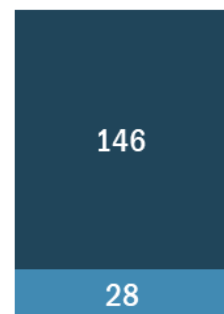
Pretrial Release Outcomes

18 participants were noncompliant with program conditions other than failure to appear or new arrest.

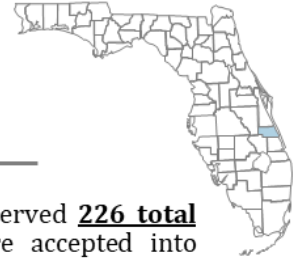



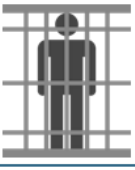

PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Indian River Pretrial Release Program-2023



	Administrative Location: Indian River County Sheriff's Office Program Staffing: 3
	County Population: 165,929 Avg. Daily Jail population: 483
	Budget: \$107,656 Funding Source: Indian River County Sheriff's Office

Defendants Served: In 2023, the program served **226 total defendants**. Of those defendants, 170 were accepted into pretrial release in 2023, while 56 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors, nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, supervises participants, and electronically monitors individuals but does not give recommendations to the court.

Program Success: The program defines a successful program exit as

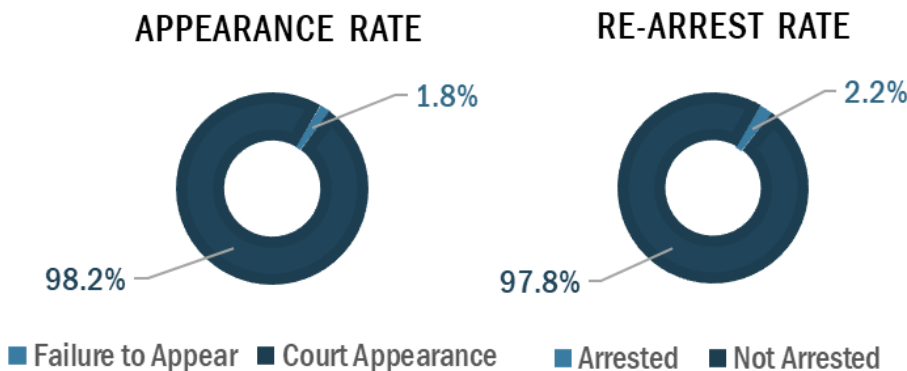
- No Failure to Appear
- No New Arrests
- No Technical Violations
- Having Charges Dropped by the Court

Supervision Services

				
Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Court Reminders	Drug and Alcohol Testing	Electronic GPS Monitoring

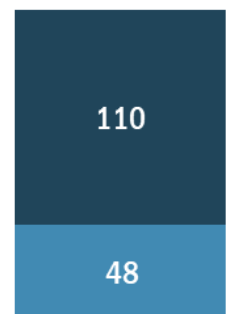
Pretrial Release Outcomes

46 participants were noncompliant with program conditions other than failure to appear or new arrest.

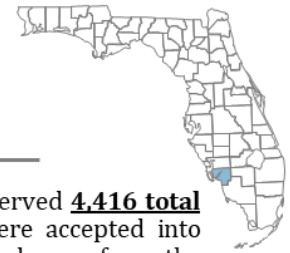





PROGRAM EXITS

- Successful Exits
- Unsuccessful



Lee Pretrial Release Program-2023



	Administrative Location: Lee County and Circuit Court Program Staffing: 36
	County Population: 801,980 Avg. Daily Jail population: 1,524
	Budget: \$2.9 million Funding Source: Lee County Board of Commissioners

Defendants Served: In 2023, the program served **4,416 total defendants.** Of these defendants, 3,395 were accepted into pretrial release in 2023, while 1,021 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors defendants. The program administers the validated Lee County Risk Instrument tool to provide release recommendations to the court. Pretrial staff screens defendants during booking prior to the first appearance hearing. Judges decide the final release determinations.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services



Mandatory Check-ins
(Phone or In-Person)



Drug and Alcohol Testing



Curfew Restrictions



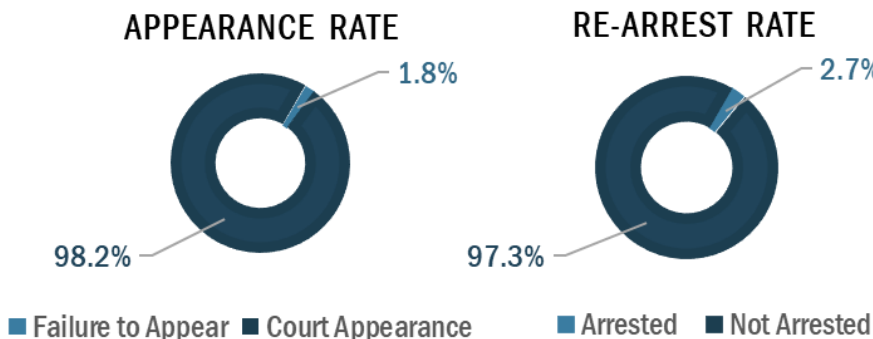
Court Reminders



Electronic GPS Monitoring

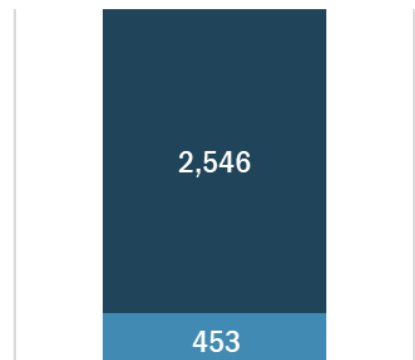
Pretrial Release Outcomes

235 participants were noncompliant with program conditions other than failure to appear or new arrest.

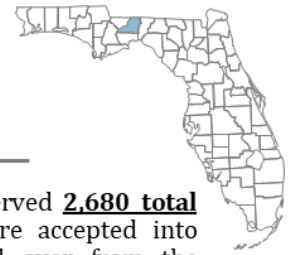


PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Leon Pretrial Release Program-2023



	Administrative Location: Leon County Board of County Commissioners Program Staffing: 14
	County Population: 299,562 Avg. Daily Jail population: 1,041
	Budget: \$1.3 million Funding Source: Leon County Supervised Pretrial Division

Defendants Served: In 2023, the program served **2,680 total defendants**. Of those defendants, 1,736 were accepted into pretrial release in 2023, while 944 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, supervises participants, and electronically monitors individuals but does not make recommendations to the court. The program administers the validated Ohio Pretrial Risk Assessment tool. The program also manages probation services. The Leon County Pretrial Release Division has the authority to release certain qualifying defendants prior to their first appearance or without monetary bond. Defendants ordered to pretrial release are required to pay a fee of \$40 a month.

Program Success: The program defines a successful program exit as

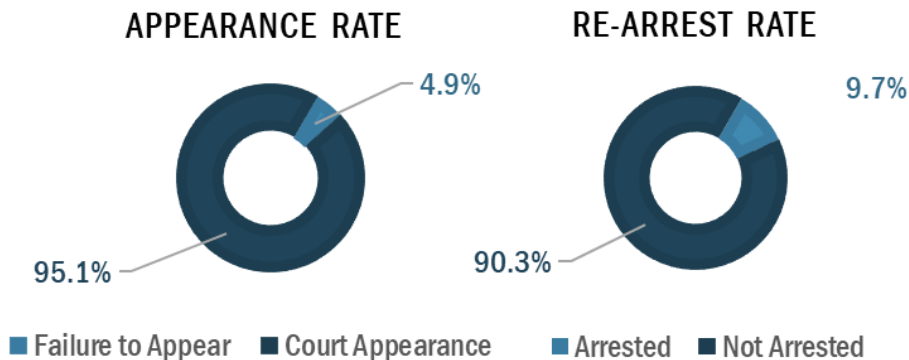
<input checked="" type="checkbox"/>	No Failure to Appear	<input checked="" type="checkbox"/>	No New Arrests	<input checked="" type="checkbox"/>	No Technical Violations
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Supervision Services

Mandatory Check-ins (Phone or In-Person)	Drug and Alcohol Testing	Curfew Restrictions	Electronic GPS Monitoring

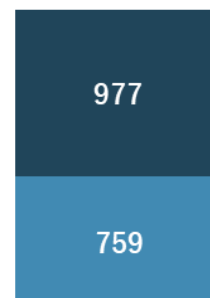
Pretrial Release Outcomes

368 participants were noncompliant with program conditions other than failure to appear or new arrests.



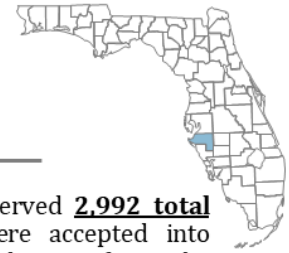
PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL PROGRAM EXIT: 6.85 MONTHS

Manatee Pretrial Release Program-2023



	<p>Administrative Location: Manatee County Board of County Commissioners Program Staffing: 17</p>
	<p>County Population: 424,734 Avg. Daily Jail population: 1,060</p>
	<p>Budget: \$1.4 million Funding Source: Manatee County General and Grant Funds</p>

Defendants Served: In 2023, the program served **2,992 total defendants**. Of those defendants, 2,251 were accepted into pretrial release in 2023, while 741 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors individuals. Pretrial staff conducts interviews in the morning before the defendant's first appearance hearing and reports their findings to the court. Pretrial staff also administers the validated Florida Pretrial Misconduct Risk Assessment Tool to inform release decisions. After paperwork is provided to all parties, the judge will ask the prosecutor and defense attorney their position on bond, which can be pretrial release. The program also manages probation services.

Program Success: The program defines a successful program exit as

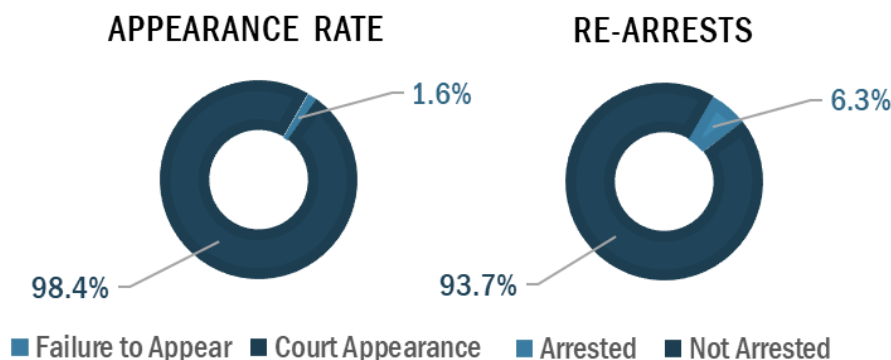
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

<p>Mandatory Check-ins (Phone or In-Person)</p>	<p>Curfew Restrictions</p>	<p>Drug and Alcohol Testing</p>	<p>Electronic GPS Monitoring</p>

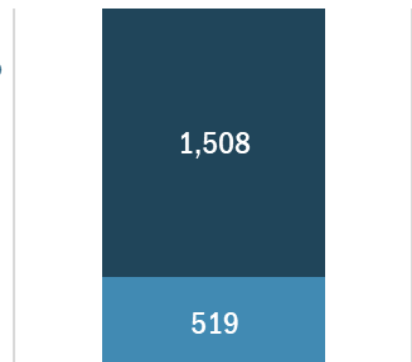
Pretrial Release Outcomes

282 participants were noncompliant with program conditions other than failure to appear or new arrest.



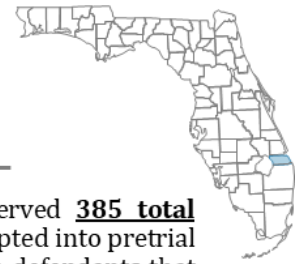
PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Martin

Pretrial Release Program-2023



	<p>Administrative Location: Martin County Courthouse Office of Civil and Pretrial Program Staffing: 3</p>
	<p>County Population: 161,854 Avg. Daily Jail population: 477</p>
	<p>Budget: \$242,913 Funding Source: Martin County Board of County Commissioners</p>

Defendants Served: In 2023, the program served **385 total defendants**. Of those defendants, 300 were accepted into pretrial release in 2023, while 85 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program began serving defendants in February 2022. The program screens defendants, makes recommendations to the court, and supervises and electronically monitors pretrial defendants. The program administers the Florida Pretrial Risk Assessment Instrument before all defendants' first appearance hearing. While the program provides a risk assessment summary based on scores from the risk assessment tool, the judge makes the final release determination.

Program Success: The program defines a successful program exit as

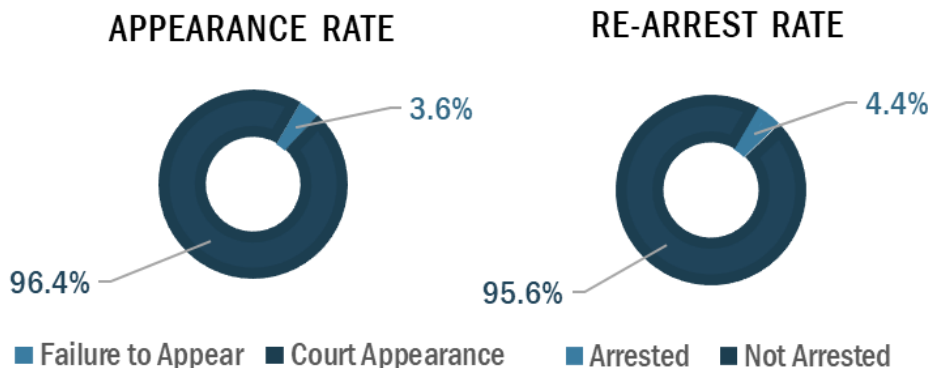
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

<p>Mandatory Check-ins (Phone or In-Person)</p>	<p>Curfew Restrictions</p>	<p>Court Reminders</p>	<p>Drug and Alcohol Testing</p>	<p>Electronic GPS Monitoring</p>

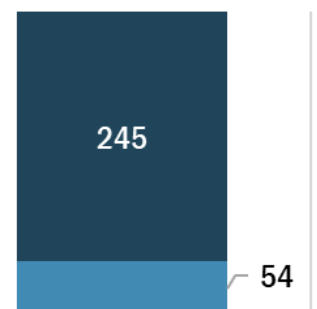
Pretrial Release Outcomes

42 participants were noncompliant with program conditions other than failure to appear or new arrest.

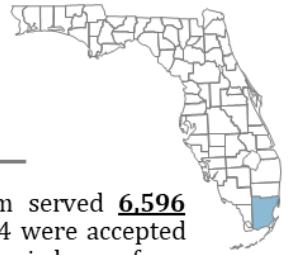


PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Miami-Dade Pretrial Release Program-2023



	<p>Administrative Location: Miami-Dade County Corrections and Rehabilitation Department</p> <p>Program Staffing: 48</p>
	<p>County Population: 2.8 million</p> <p>Avg. Daily Jail population: 4,256</p>
	<p>Budget: \$5.7 million</p> <p>Funding Source: Miami-Dade Corrections and Rehabilitation Department</p>

Defendants Served: In 2023, the program served **6,596 total defendants**. Of those defendants, 5,594 were accepted into pretrial release in 2023, while 1,002 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, and supervises participants. The program also manages the pretrial diversion program. The program administers the Public Safety Assessment to help inform the court's final release decision.

Program Success: The program defines a successful program exit as



No Failure To Appear



No New Arrests

Supervision Services



Mandatory Phone Check-ins

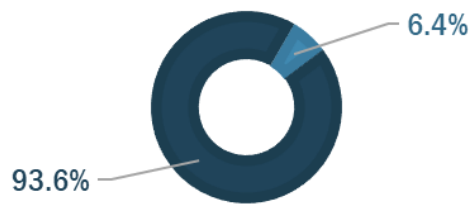


Court Reminders

Pretrial Release Outcomes

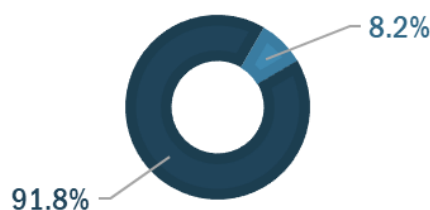
Miami-Dade County did not report noncompliance other than failure to appear and re-arrests.

APPEARANCE RATE



■ Failure to Appear ■ Court Appearance

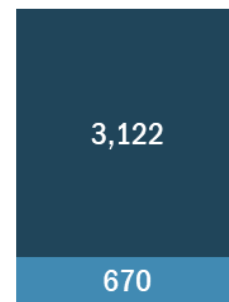
RE-ARRESTS



■ Arrested ■ Not Arrested

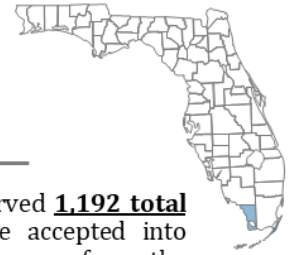
PROGRAM EXITS

■ Successful Exits
■ Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL EXIT: **3.5 MONTHS**

Monroe Pretrial Release Program-2023



	Administrative Location: Monroe County Board of County Commissioners Program Staffing: 5
	County Population: 84,053 Avg. Daily Jail population: 443
	Budget: \$498,495 Funding Source: Monroe County Funds

Defendants Served: In 2023, the program served **1,192 total defendants**. Of those defendants, 777 were accepted into pretrial release in 2023, while 415 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, supervises participants, and electronically monitors defendants. The program also administers a risk assessment to defendants prior to first appearance. Additionally, prior to first appearance hearings, pretrial staff meet with the judge, public defender, and state attorney to provide them with the results of the risk assessment. While the program provides risk assessment information prior to first appearance, the judge makes the final release decision.

Program Success: The program defines a successful program exit as

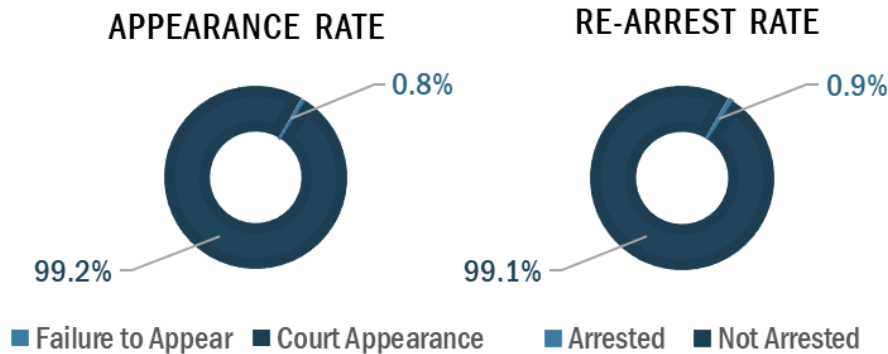
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

Mandatory Check-ins (Phone or In Person)	Curfew Restrictions	Drug and Alcohol Testing	Court Reminders	Electronic GPS Monitoring

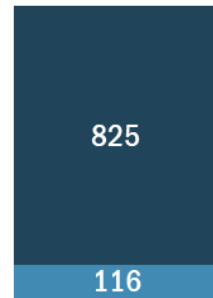
Pretrial Release Outcomes

96 participants were noncompliant with program conditions other than failure to appear or new arrest.



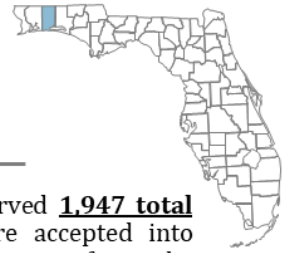
PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL EXIT: 6.2 MONTHS

Okaloosa Pretrial Release Program-2023



	<p>Administrative Location: Okaloosa County Board of County Commissioners Program Staffing: 8</p>
	<p>County Population: 216,336 Avg. Daily Jail population: 746</p>
	<p>Budget: \$871,268 Funding Source: Okaloosa County Board of County Commissioners</p>

Defendants Served: In 2023, the program served **1,947 total defendants**. Of those defendants, 1,095 were accepted into pretrial release in 2023, while 852 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, electronically monitors defendants, and supervises participants. The program also manages the county's Pretrial Mental Health Diversion Program. The program administers the validated Florida Pretrial Risk Assessment Instrument to provide defendant information to the judge at the first appearance hearing. Risk assessments are completed for all defendants except those charged with failure to appear, out of county/state charges, or violation of probation.

Program Success: The program defines a successful program exit as

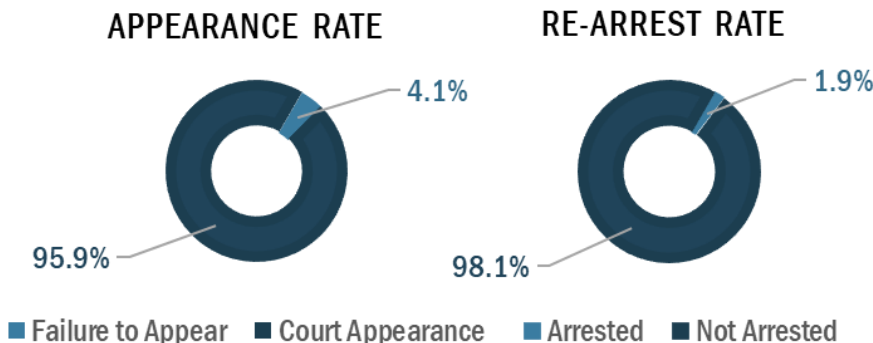
- No Failure to Appear
- No New Arrests
- No Filed Revocations

Supervision Services

Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Drug and Alcohol Testing	Substance Abuse/Mental Health Treatment	Electronic GPS Monitoring

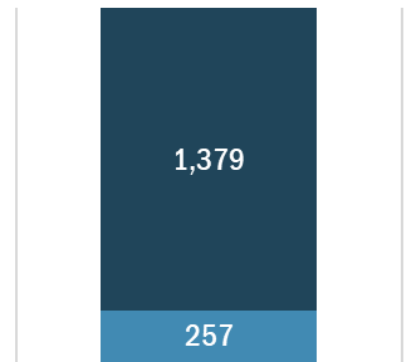
Pretrial Release Outcomes

The program did not report the number of participants that were noncompliant with program conditions other than failure to appear or new arrest.

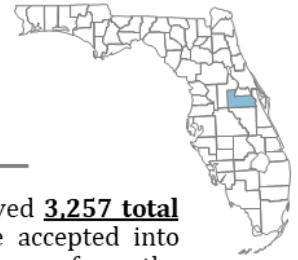


PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Orange Pretrial Release Program-2023



	Administrative Location: Orange County Board of County Commissioners Program Staffing: 39
	County Population: 1.5 million Avg. Daily Jail population: 2,494
	Budget: \$4.3 million Funding Source: Orange County General Revenue

Defendants Served: In 2023, the program served **3,257 total defendants**. Of those defendants, 2,655 were accepted into pretrial release in 2023, while 602 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and violent and non-violent felonies per judicial order.

Program Activities: The program screens defendants and supervises participants but does not make recommendations to the court. Pretrial staff screen defendants before their first appearance hearing. The program administers the validated Florida Pretrial Risk Assessment Instrument to inform judges' decisions regarding bail and release. The program also manages defendants on county probation, re-entry, and pretrial diversion programs.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services



Mandatory Check-ins
(Phone or In-Person)



Court Reminders

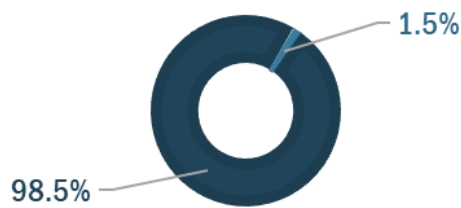


Drug and Alcohol Testing

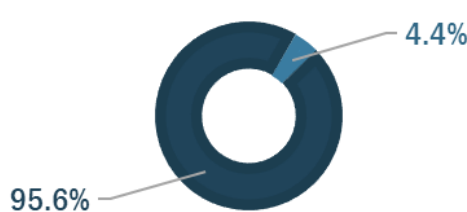
Pretrial Release Outcomes

148 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



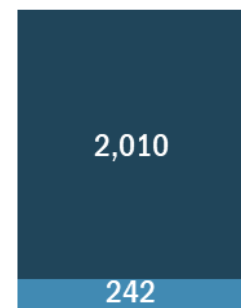
RE-ARREST RATE



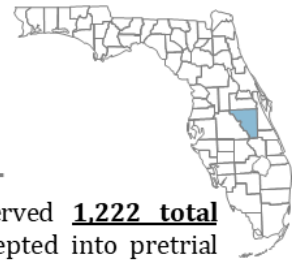
■ Failure to Appear
 ■ Court Appearance
 ■ Arrested
 ■ Not Arrested

PROGRAM EXITS

■ Successful Exits
■ Unsuccessful Exits



Osceola Pretrial Release Program-2023



	Administrative Location: Osceola County Board of County Commissioners Program Staffing: 11
	County Population: 427,326 Avg. Daily Jail Population: 671
	Budget: \$428,805 Funding Source: Osceola County Corrections Department Annual Budget

Defendants Served: In 2023, the program served **1,222 total defendants**. Of those defendants, 984 were accepted into pretrial release in 2023, while 238 carried over from the defendants that were accepted in 2022.

Defendant Charges: The program accepts defendants charged with criminal traffic violations, misdemeanors, and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors defendants. Pretrial staff screen defendants before the first appearance hearing. The program administers the validated Florida Pretrial Misconduct Risk Assessment Instrument to inform the court's final release decision.

Program Success: The program defines a successful program exit as

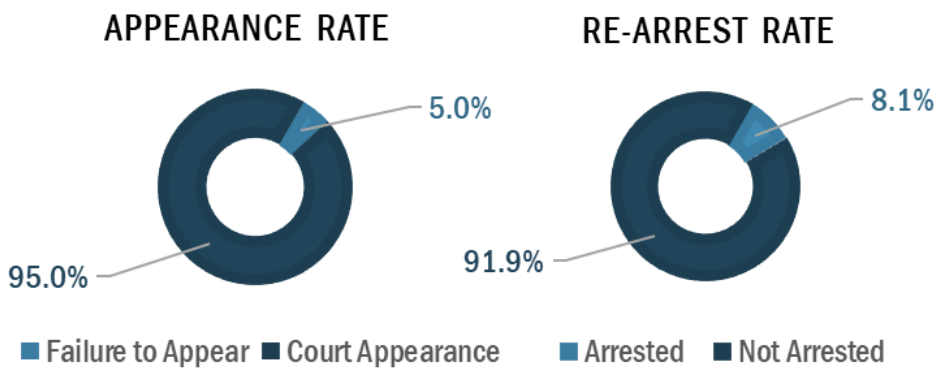
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Court Reminders	Drug and Alcohol Testing	Electronic GPS Monitoring

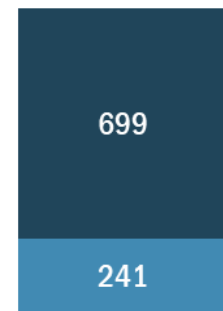
Pretrial Release Outcomes

79 participants were noncompliant with program conditions other than failure to appear or new arrest.



PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Palm Beach Pretrial Release Program-2023



	<p>Administrative Location: Palm Beach County Board of County Commissioners Program Staff: 23</p>
	<p>County Population: 1.5 million Avg. Daily Jail population: 1,967</p>
	<p>Budget: \$1.9 million Funding Source: Palm Beach County Board of County Commissioners</p>

Defendants Served: In 2023, the Palm Beach pretrial release program served **4,565 total defendants**. Of those defendants, 3,974 were accepted into pretrial release in 2023, while 591 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants and supervises participants. While screening packet elements are provided to judges to inform their release decisions, the pretrial staff does not recommend pretrial release. Pretrial staff screen defendants before their first appearance hearing. Defendants ordered to pretrial release are required to pay a fee of \$10 per week. However, fees can be waived per judicial discretion.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services



Mandatory Check-ins
(Phone or In-Person)



Curfew
Restrictions



Court
Reminders

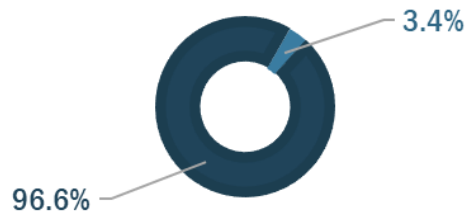


Drug and Alcohol
Testing

Pretrial Release Outcomes

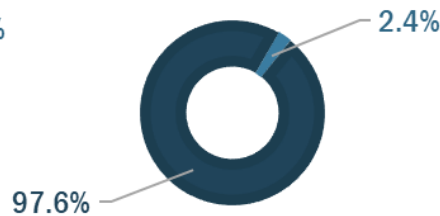
294 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



■ Failure to Appear ■ Court Appearance

RE-ARREST RATE



■ Arrested ■ Not Arrested

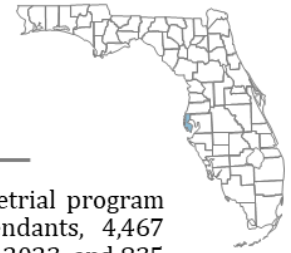
PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL EXIT: 1 MONTH

Pinellas Pretrial Release Program-2023



	Administrative Location: Pinellas County Court Program Staffing: 33
	County Population: 973,158 Avg. Daily Jail population: 2,886
	Budget: \$4.3 million Funding Source: Pinellas County Funds

Defendants Served: In 2023, the Pinellas pretrial program served **5,302 total defendants**. Of those defendants, 4,467 participants were accepted into the program in 2023, and 835 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitor defendants. However, judges determine participation in the pretrial release program after a defendant is arrested. Pretrial staff screen participants by running their criminal history, reviewing the affidavit, and verifying their residency after receiving a referral from a judge.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

Mandatory Check-ins
(Phone or In-Person)

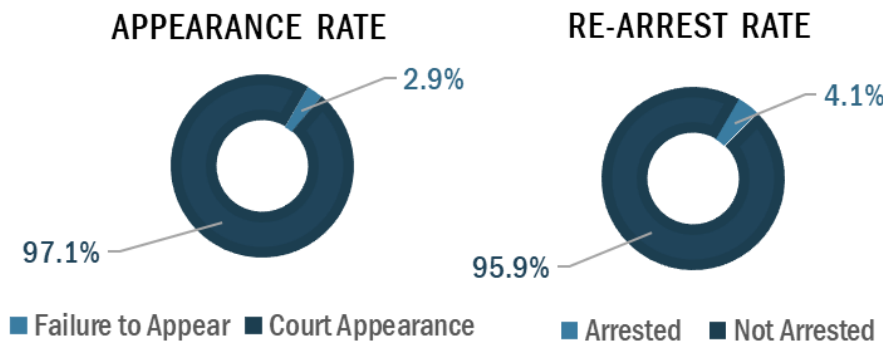
Curfew
Restrictions

Drug and Alcohol
Testing

Electronic GPS and
Alcohol Monitoring

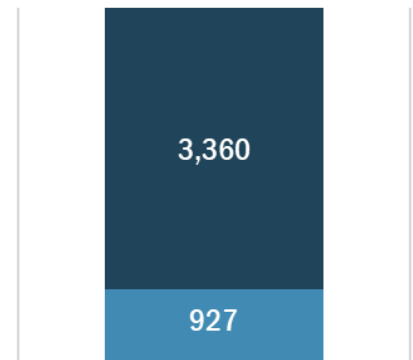
Pretrial Release Outcomes

558 participants were noncompliant with program conditions other than failure to appear or new arrest.

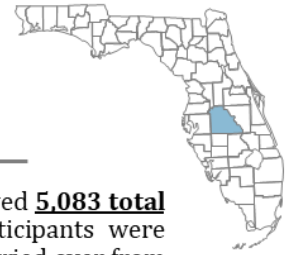


PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Polk Pretrial Release Program-2023



	Administrative Location: Polk County Board of County Commissioners Program Staffing: 24
	County Population: 774,619 Avg. Daily Jail population: 2,603
	Budget: \$1.5 million Funding Source: Polk County Board of County Commissioners

Defendants Served: In 2023, the program served **5,083 total defendants**. Of those defendants, 4,578 participants were accepted into the program in 2023, and 180 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, electronically monitors defendants, and prepares bond hearing files. Pretrial staff screen defendants before their first appearance hearing. At first appearance, judges determine probable cause and make final release determinations.

Program Success: The program defines a successful program exit as

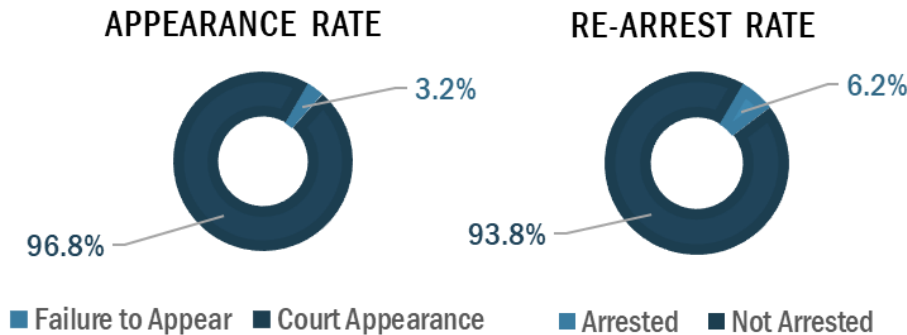
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Court Reminders	Drug and Alcohol Testing	Electronic GPS Monitoring

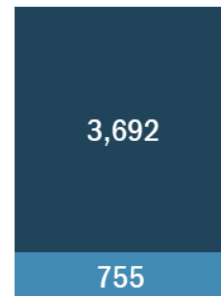
Pretrial Release Outcomes

274 participants were noncompliant with program conditions other than failure to appear or new arrest.



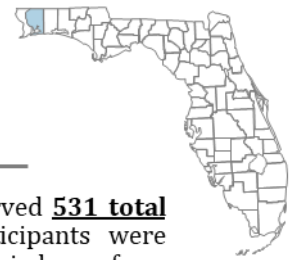
PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL EXIT: 9 MONTHS

Santa Rosa Pretrial Release Program-2023



	<p>Administrative Location: Santa Rosa County Clerk of Court</p> <p>Program Staffing: 2</p>
	<p>County Population: 197,824</p> <p>Avg. Daily Jail population: 655</p>
	<p>Budget: \$115,529</p> <p>Funding Source: Santa Rosa Board of County Commissioners</p>

Defendants Served: In 2023, the program served **531 total defendants**. Of those defendants, 406 participants were accepted into the program in 2023, and 125 carried over from the defendants that were accepted in 2022.

Defendant Charges: The program accepts defendants charged with misdemeanors and nonviolent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, and supervises participants. Pretrial staff screen defendants before their first appearance hearing.

Program Success: The program defines a successful program exit as

- Bond Not Revoked
- No New Arrests
- No Technical Violations

Supervision Services

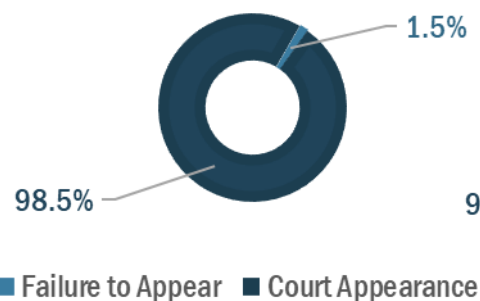
Mandatory Check-ins
(Phone or In-Person)

Drug and Alcohol Testing

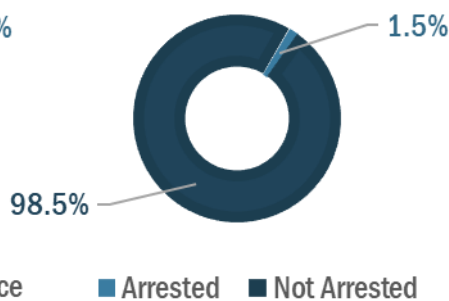
Pretrial Release Outcomes

81 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE

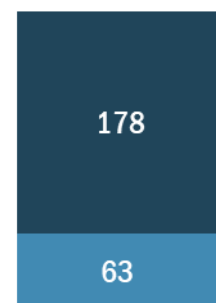


RE-ARREST RATE

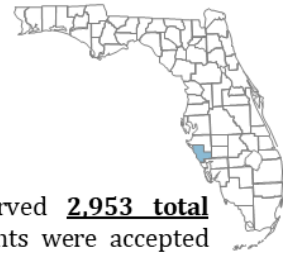


PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



Sarasota Pretrial Release Program-2023



	Administrative Location: Sarasota County Board of County Commissioners Program Staffing: 23
	County Population: 454,352 Avg. Daily Jail population: 1,021
	Budget: \$2 million Funding Source: Sarasota County Board of County Commissioners

Defendants Served: In 2023, the program served **2,953 total defendants**. Of those defendants, 2,505 participants were accepted into the program in 2023, and 448 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens, defendants makes recommendations to the court, supervises defendants, and electronically monitors participants. Pretrial staff screen defendants before their first appearance. The program administers the validated Virginia Pretrial Risk Assessment Instrument to recommend defendants' level of supervision and inform judges' final decisions. While the prosecutor and defense attorney make release recommendations, the judge makes final release decisions.

Program Success: The program defines a successful program exit as

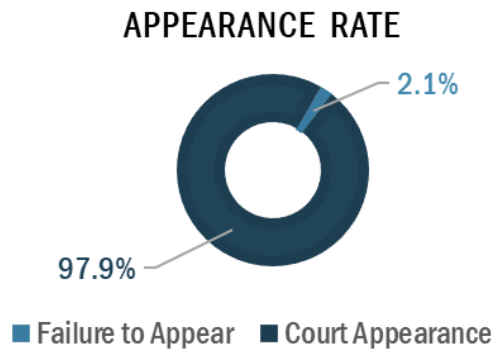
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Court Reminders	Drug and Alcohol Testing	Electronic GPS Monitoring	

Pretrial Release Outcomes

Sarasota County did not report noncompliance other than failure to appear and release revocations due to re-arrests.



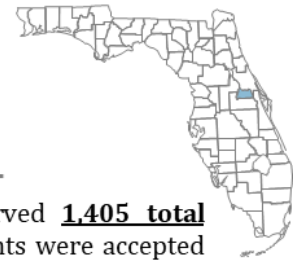
PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL EXIT: 2 MONTHS

Seminole Pretrial Release Program-2023



	Administrative Location: Seminole County Sheriff's Office Program Staffing: 29
	County Population: 484,518 Avg. Daily Jail population: 899
	Budget: \$388,352 Funding Source: Municipal Funds, Grant Funds, Private Funds, and Defendant Fees

Defendants Served: In 2023, the program served **1,405 total defendants**. Of those defendants, 1,098 participants were accepted into the program in 2023, and 307 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors defendants. Pretrial staff interview defendants during the booking process to determine eligibility for pretrial release. The program administers the Applied Correctional Transition Strategy (ACTS) risk assessment tool. The program also manages the county probation offices, specialty courts, and pretrial diversion. The program provides its recommendations to the court; however, judges make final release determinations.

Program Success: The program defines a successful program exit as

- No Failure to Appear
- No New Arrests
- No Technical Violations

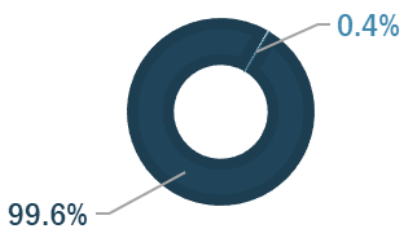
Supervision Requirements

 Mandatory Check-ins (Telephone)	 Court Reminders	 Electronic GPS Monitoring
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Pretrial Release Outcomes

16 participants were noncompliant with program conditions other than failure to appear or new arrest.

APPEARANCE RATE



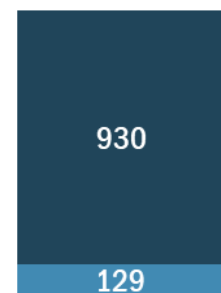
RE-ARREST RATE



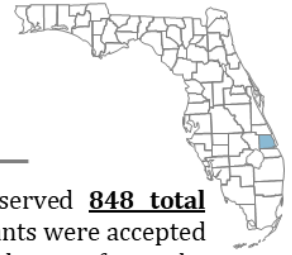
■ Failure to Appear
 ■ Court Appearance
 ■ Arrested
 ■ Not Arrested

PROGRAM EXITS

■ Successful Exits
■ Unsuccessful Exits



St. Lucie Pretrial Release Program-2023



	Administrative Location: St. Lucie County Board of County Commissioners Program Staffing: 16
	County Population: 353,536 Avg. Daily Jail population: 1,412
	Budget: \$1.5 million Funding Source: St. Lucie County Board of County Commissioners and County Contracts

Defendants Served: In 2023, the program served **848 total defendants**. Of those defendants, 502 participants were accepted into the program in 2023, and 346 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and nonviolent and violent felonies per judicial order.

Program Activities: In 2023, the program provided services in Okeechobee and St. Lucie County. The program supervises participants and electronically monitors defendants but does not screen defendants or make recommendations to the court. The program provides defendant information to the court upon request. Judges make release determinations per judicial discretion during the first appearance.

Program Success: The program defines a successful program exit as

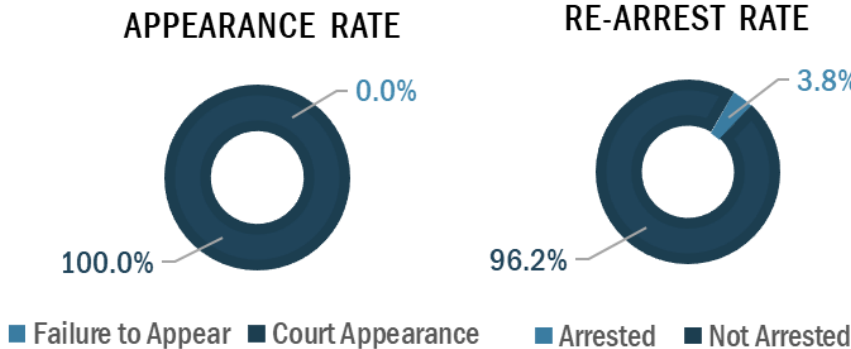
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Home Visits	Drug and Alcohol Testing	Electronic GPS Monitoring

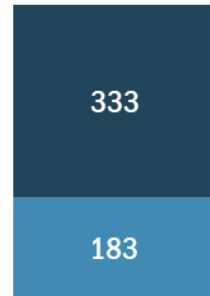
Pretrial Release Outcomes

150 participants were noncompliant with program conditions other than failure to appear or new arrest.



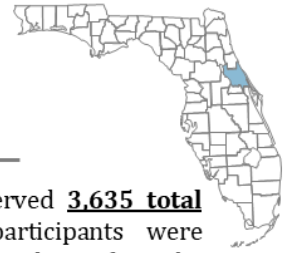
PROGRAM EXITS




- Successful Exits
- Unsuccessful Exits



AVERAGE TIME TO SUCCESSFUL EXIT: **9 MONTHS**

Volusia Pretrial Release Program-2023



	Administrative Location: Judicial Circuit Court Program Staffing: 23
	County Population: 574,597 Avg. Daily Jail population: 1,383
	Budget: \$1.9 million Funding Source: Volusia County General Revenue






Defendants Served: In 2023, the program served **3,635 total defendants**. Of those defendants, 2,945 participants were accepted into the program in 2023, and 690 carried over from the defendants that were accepted in 2022. The program accepts defendants charged with misdemeanors and violent and non-violent felonies.

Program Activities: The program screens defendants, makes recommendations to the court, supervises participants, and electronically monitors defendants. Pretrial staff screen defendants and contact victims for comment before the first appearance hearing. The program also administers the validated Public Safety Assessment. Judges make final release determinations.

Program Success: The program defines a successful program exit as

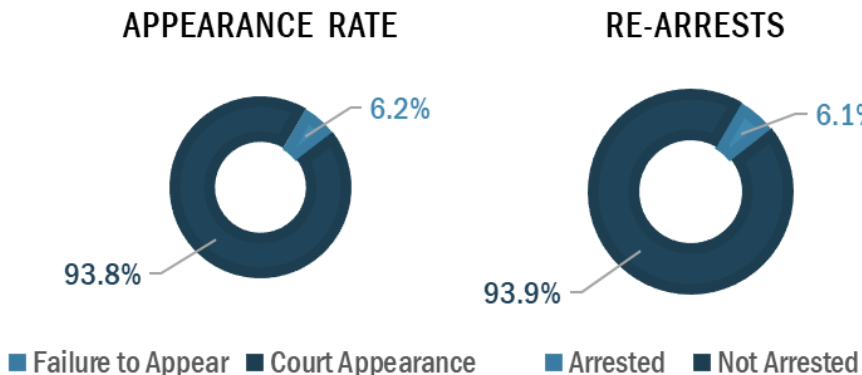
- No Failure to Appear
- No New Arrests
- No Technical Violations

Supervision Services

				
Mandatory Check-ins (Phone or In-Person)	Curfew Restrictions	Court Reminders	Drug and Alcohol Testing	Electronic GPS Monitoring

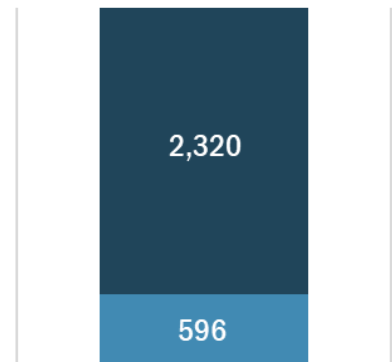
Pretrial Release Outcomes

707 participants were noncompliant with program conditions other than failure to appear or new arrest.



PROGRAM EXITS

- Successful Exits
- Unsuccessful Exits



APPENDIX B

Pretrial Program Fees

Twenty-seven pretrial release programs reported charging fees to defendants for some rendered services. (See Exhibit B-1.) Pretrial programs reported that collected funds were remitted to program revenues, general county revenues, court revenue, and contracted vendors.³⁴ Additionally, 14 pretrial programs reported that fees could be waived through judicial discretion, hardship, indigence, or community service. For example, the Lee County Pretrial Program reported that fees could be waived by completing community service hours. Relatedly, Broward, Collier, and Osceola counties' pretrial programs reported that defendants must be declared indigent to waive fees.

Exhibit B-1

Twenty-Seven Pretrial Programs Charged Fees to Defendants in 2023

County Pretrial Program	Service	Fee Amount	Total Collected	Program-Reported Fee Assessments and Waivers ¹	Recipient of Fees
Alachua	Telephonic Reporting	\$5/month	\$630.00	Can be waived by a judge	County
	Electronic Monitoring	\$5/day	\$12,730.00	Can be waived by a judge	County
	Transdermal Alcohol Detector (TAD) Monitoring or Secure Continuous Remote Alcohol Monitor (SCRAM)	\$5/day	\$32,427.70	Can be waived by a judge	County
Bay	Drug Testing	\$45/test	\$0	Outside vendor charges \$45/test for drug/alcohol testing; this fee cannot be waived, and testing is random but averages once per month	Vendor ²
Brevard	Supervision	\$10/week	\$3,333.55	Can be waived by the court	Program
Broward	Electronic Monitoring	\$5/day	\$83,685.00	Can be waived if indigent	County
	Drug Testing	\$29/panel	DNP ³	Can be waived if indigent	Vendor
	TAD or SCRAM	\$5/day	DNP	Can be waived if indigent	County
Charlotte	Electronic Monitoring	DNP	DNP	Fees directly remitted to vendors	Vendor
	Drug Testing	DNP	DNP	Applicable fees directly remitted to vendors; program fees directly remitted to the Clerk of Court	Vendor and Program
	TAD or SCRAM	DNP	DNP	Fees directly remitted to vendors	Vendor
Citrus	Electronic Monitoring	\$8/day	\$35,451.54	Fees cannot be waived and are determined by the board of county commissioners	Program
Collier	Drug Testing	\$6.75/test	\$129.80	Can be waived if indigent	Vendor
	Alcohol Testing	\$6.50/test	\$1,425.05	Can be waived if indigent	Vendor
	Electronic Monitoring	\$4.10/day	\$315.10	Can be waived if indigent	Vendor

³⁴ Polk County is the only county that reports the Court as a recipient of fees.

County Pretrial Program	Service	Fee Amount	Total Collected	Program-Reported Fee Assessments and Waivers ¹	Recipient of Fees
DeSoto	Electronic Monitoring	\$100 set-up fee, \$300/month	DNP	Fees cannot be waived	Vendor
	TAD or SCRAM	\$100 set-up fee, \$300/month	DNP	Fees cannot be waived	Vendor
Escambia	Drug Testing	Urinalysis: \$25/Test Drug Patches: \$44/patch Breath Test: DNP	\$9,198.58	Fees are not waived	County
	Electronic Monitoring/SCRAM	Electronic Monitoring: \$12 or \$15/day SCRAM: \$15/day	\$139,344.65	Can be waived if hardship is claimed	County
Hardee	Supervision	\$50/month	\$10,633.00	DNP	County
Highlands	Electronic Monitoring	DNP	DNP	Fees directly remitted to Vendors	Vendor
	Drug Testing	\$30-\$40/test	DNP	Three entities carry out drug testing for the program: Lighthouse Addiction (\$40/test), Tri-County Human Services (\$30/test), and the Highlands County Sheriff's Office (free for indigent defendants)	Vendor
Hillsborough	Electronic Monitoring	DNP	\$0	The program pays \$3.20 per day per participant	Vendor
	TAD or SCRAM	DNP	DNP	The program pays \$3.90 per day per participant	Vendor
Indian River⁴	Drug Testing	DNP	DNP	Fees are not waived	Vendor
Lee	Electronic Monitoring	DNP	DNP	DNP	Vendor
	Drug Testing	DNP	DNP	DNP	Vendor
	Supervision	\$50/month	DNP	Participants may be allowed to complete community service in lieu of paying the fee	DNP
	TAD or SCRAM	DNP	DNP	DNP	Vendor
Leon	Electronic/GPS Monitoring	\$9/day	\$18,564.00	Can be waived as determined by the court	Program
	Drug Testing	Urinalysis Testing: \$20/test Alcohol Testing: \$5/test	\$247,585.00	Can be waived as determined by the court	Program
	Supervision	\$40/month	\$75,958.00	Can be waived as determined by the court	Program
	SCRAM	\$12/day	\$10,717.00	Can be waived as determined by the court	Program
Manatee	Electronic Monitoring	\$3.09/day	\$22,255.43	Can be waived by a judge	Vendor
	GPS Monitoring	\$30 one-time fee for GPS fitting	\$990.00	Can be waived by a judge	County
	Drug Testing	\$50.00	\$13,965.00	Can be waived by a judge	County
Martin	Drug Testing	\$30/test	DNP	Fees directly remitted to vendors	Vendor
	TAD or SCRAM	\$40 initial fee, \$8/day	DNP	Fees directly remitted to vendors	Vendor

County Pretrial Program	Service	Fee Amount	Total Collected	Program-Reported Fee Assessments and Waivers ¹	Recipient of Fees
Monroe	Electronic Monitoring	\$4.25/day	\$1,724.50	Can be waived by a judge	County
	Drug Testing	\$10/test	\$12,180.00	Can be waived by a judge	County
	TAD or SCRAM	Installation fee, per day fee	DNP	Can be waived by a judge	Vendor
Okaloosa	Electronic Monitoring	\$1-\$5	\$41,563.51	Fees cannot be waived	County
Orange	Telephonic Reporting	\$6/month	\$51,114.49	Fees are waived for the first month if individuals are indigent; if individuals still cannot pay, they are taken off the service	Vendor and County ⁵
	Drug Testing	\$17 one-time fee	\$28,706.25	Fees can be waived if individuals meet financial waiver standards (classify as indigent)	County
Osceola	Telephonic Reporting	\$10/month	DNP	Fees charged are for the services provided by set vendors; fees may be waived if individuals are indigent	Vendor
	Drug Testing	\$20/test	DNP	Fees charged are for the services provided by set vendors; fees may be waived if individuals are indigent	Vendor
Palm Beach	Supervision	\$10/week	\$104,269.00	Can be waived by a judge	Program
Pinellas	Electronic Monitoring	\$7/day	\$44,651.35	Judges waive monitor fees for defendants in veteran's court only	Vendor
	TAD or SCRAM	\$10/day	\$65,230.30	Judges waive monitor fees for defendants in veteran's court only	Vendor
Polk	Drug/Alcohol Testing	Urinalysis: \$30 Breath Testing: \$15	DNP	Can be waived if defendant is experiencing financial hardship that is verified by the court.	Court
Santa Rosa	Drug Testing	\$35/test	\$39,326.00	Fees cannot be waived	Program
	Supervision	\$100 one-time fee	\$25,923.00	Fees cannot be waived	Program
Sarasota	GPS and SCRAM	\$100 install fee, \$10/day	DNP	Vendor fee: 30 days of payment are collected in advance totaling \$400	Vendor
	Portable Alcohol Monitor (PAM)	\$50 install fee, \$6/day	DNP	Vendor fee: 30 days of payment are collected in advance totaling \$230	Vendor
Seminole	Electronic Monitoring	\$3.50/day	\$86,747.37	Can be waived if indigent	County

¹ Telephonic reporting can be waived for one month, but following that, if defendants still cannot pay, they are taken off the service.

² Bay County reported that they conduct drug testing through an outside vendor. Therefore, defendant's fees were remitted to the vendor.

³ DNP refers to pretrial programs that did not provide the information.

⁴ In its survey response, Indian River reported serving four counties including Brevard, Indian River, Martin, and Okeechobee.

⁵ Orange County reported charging defendants \$6 for telephonic reporting services. Of those fees, \$3.91 is remitted to the vendor, while \$2.09 is remitted to county revenue.

Source: OPPAGA analysis of pretrial program survey responses.

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OPPAGA

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