

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA**

Administrative Order No. 2009 - 21.3

**IN RE: MANATEE COUNTY SUPERVISED RELEASE PROGRAM SIGN-UP
 REQUIREMENT**

WHEREAS, Rule 3.131(a), Fla. Crim. P. provides that “unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, every person charged with a crime or violation of municipal or county ordinance shall be entitled to pretrial release on reasonable conditions.” Further, “unless the State has filed a motion for pretrial detention pursuant to Rule 3.132, the court shall conduct a hearing to determine pretrial release.” Rule 3.131(b)(1) Fla. Crim. P.; and

WHEREAS, the primary consideration of the conditions of release must be the reasonable protection of the community from risk of physical harm to persons, to assure the presence of the accused at trial, or to assure the integrity of the judicial process (F.S. 907.041(1) and Rule 3.131(a), Fla. R. Crim. P.); and

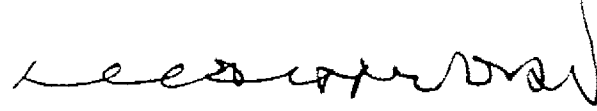
WHEREAS, persons found to meet specified criteria may be released from custody under certain conditions until adjudication has been determined and proceedings are concluded, and in Manatee County, such pre-trial release may be monitored by the supervised release program or the mental health supervised release program; and

WHEREAS, the court has an obligation to ensure that all defendants who are placed on supervised release or mental health supervised release understand and agree to all of the conditions of the supervised release programs before they are released from custody.

NOW, THEREFORE, IT IS ORDERED as follows:

1. In all Manatee County proceedings where the court imposes pretrial conditions on a defendant that include participation in either the supervised release or mental health supervised release program, the defendant is required to sign a Supervised Release Agreement or a Mental Health Supervised Release Agreement, whichever is applicable.
2. Failure to sign the appropriate supervised release agreement as ordered precludes the defendant’s release from jail, even if the defendant has posted the requisite bond.
3. This order shall be effective **October 5, 2009**.

DONE and ORDERED in Sarasota, Sarasota County, Florida, on this 2d day of October, 2009.



Lee E. Haworth, Chief Judge

Originals: Karen Rushing, Clerk of Court, Sarasota County

Copy to: Manatee County Circuit and County Court Judges
Richard B. Shore, Clerk of Court, Manatee County
Walt Smith, Court Administrator
Circuit IT Dept.
Sarasota and Manatee County Bar Associations
Office of the State Attorney
Office of the Public Defender
Manatee County Supervised Release Program
Manatee Glens Mental Health Supervised Release Program
Manatee County Sheriff's Office