

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order No. 2022-11-Crim

UNIFORM BOND SCHEDULE

(a) Pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and power to do everything necessary to promote the prompt and efficient administration of justice.

(b) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(c) To balance the space limitations of the Broward County Jail and the need to protect the public, it is necessary to establish a convenience bond schedule to allow for the release of individuals arrested for certain crimes prior to a First Appearance Hearing.

(d) When determining bond or other pretrial release conditions, all judges shall consider the dictates of Florida Rule of Criminal Procedure 3.131 and public safety.

(e) In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of General Practice and Judicial Administration 2.215, it is hereby **ORDERED, effective March 1, 2022, at 12:01am:**

1. General

The following bond schedule is established so that persons arrested for certain criminal offenses may be released on a bond prior to the person’s First Appearance hearing. This schedule is not intended to bind any judge conducting First Appearance hearings or bond hearings. Rather, any judge determining bond and/or conditions of release should consider the criteria set forth in section 903.046, Florida Statutes, and Florida Rule of Criminal Procedure 3.131.

2. First Appearance Hearing Required

The following offenses listed in the below table are crimes of violence or involve the public welfare and persons charged with these offenses shall NOT be eligible for release on bond prior to a First Appearance hearing. The judge presiding at the First Appearance hearing will determine the appropriate amount of bond, if any.

- a. Any person charged with an offense classified as a “dangerous crime” listed in section 907.041(4)(a), Florida Statutes, shall not be eligible for release prior to a First Appearance Hearing.
- b. In the event the specific statutory subsection governing the charged offense is not identified in the State Statute section, below, all subsections within the identified statute apply.

State Statute	Description
§316.027(2)(b)	Leave Scene of Accident/Death
§316.193	DUI Alcohol or Drugs
§316.193(3)(c)(2)	DUI Serious Bodily Injury
§316.193(3)(c)(3)	DUI Manslaughter
§316.1935(1)	Flee Attempt to Elude Law Enforcement
§322.34(6)	License Cancel/Sus/Revoked/No Driver’s License Causing Death or Serious Bodily Injury
§322.34(6)(b)	Vehicular Homicide/Driving While License Canceled, Suspended or Revoked Causing Death or Serious Bodily Injury
§327.35	Boating Under the Influence

§741.28(1)	Domestic Violence ¹
§741.29(6)	Violation of a Condition of Pre-trial Release-Domestic Violence
§775.085	Evidencing Prejudice while Committing Offense
§775.0875(1)	Unlawful Take Law Enforcement Officers Firearm
§775.21(6)(j)	Sexual Predator Act/Fail to Notify/Residence
§775.21(10)(a)(1)	Failure to Register as Sexual Predator W/In 48 Hrs
§775.21(10)(a)(2)	Sex Pred Fail Change/Renew info on DL W/In 48 Hrs
§775.21(10)(b)	Sex Predator Work Where Children Gather – Minor Victim
§775.21(10)(g)(2)	Harbor/Attempt Harbor/Asst Harbor Sex Predator
§775.21(10)(g)(4)	Provide False Info to LE About Sex Predator
§782.04(1)	Murder, 1 st Degree
§782.04(1)	Murder, 1 st Degree/Attempt

¹ “**Domestic violence**” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. “**Family or household member**” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

§782.04(1)	Murder, 1 st Degree/Conspire
§782.04(1)	Murder, 1 st /Felony
§782.04(1)	Murder, 1 st Degree/Law Enforcement Officer
§782.04(1)	Murder, 2 nd Degree
§782.04(2)	Murder, 2 nd Degree/Attempt
§782.04(2)	Murder, 2 nd Degree/Law Enforcement Officer
§782.04(2)	Murder, 2 nd Degree/With Deadly Weapon/Attempt
§782.04(3)	Murder, 2 nd Degree/Felony
§782.04(4)	Murder, 3 rd Degree
§782.04(4)	Murder, 3 rd Degree/Attempt
§782.04(4)	Murder, 3 rd Degree/Law Enforcement Officer
§782.04(4)	Murder, 3 rd Degree/With a Firearm
§782.051	Felony Murder, 1 st Degree /Attempt
§782.07	Manslaughter/All Offenses
§782.071(1)(a)	Vehicular Homicide/Operate in Reckless Manner
§782.071(1)(b)	Vehicular Homicide/Failure to Stop

§782.072(1)	Vessel Homicide/Operate in Reckless Manner
§782.072(2)	Vessel Homicide/Failure to Stop
§782.09	Killing of Unborn Child by Injury to Mother
§782.11	Killing/Unnecessary, to Prevent Unlawful Act
§784.021	Aggravated Assault
§784.045	Aggravated Battery
§784.046(13)	Dating Violence ²
§784.046	Violation of a Condition of Pre-Trial Release-Dating Violence
§784.048(2)	Stalking
§784.048(3)	Aggravated Stalking
§784.048(4)	Aggravated Stalking/ Court Order
§784.0495(1)	Mob Intimidation
§784.07(2)(a)	Assault on Officer/Firefighter/ EMT
§784.07(2)(b)	Battery on Officer/Firefighter/EMT

² “Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors: (1) A dating relationship must have existed within the past 6 months; (2) The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and (3) The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context. §784.046(1)(d), Fla. Stat.

§784.07(2)(c)	Aggravated Assault on Officer/Firefighter/EMT
§784.07(3)(d)	Aggravated Battery on Officer/Firefighter/EMT
§784.08(2)(c)	Battery on a Person 65 or Older
§787.01(2)	Kidnapping
§787.02	False Imprisonment
§787.03(1)	Interfere Custody Minor
Ch. 790	All Weapon & Firearm Offenses
§790.07(1)	Weapon/Use, Display While Committing a Felony
§790.07(2)	Firearm/Use, Display While Committing a Felony
§790.115(1)	Exhibit Firearm Destruct Device Weapon on School Prop
§790.115(1)	Weapon, Firearm/School Property/Exhibit
§790.115(2)(c)	Firearm/School Property/Possession
§790.115(2)(d)	Firearm/School Property/Discharge
§790.115(2)(d)	Weapon, Firearm/School Property/Discharge
§790.15(2)	Firearm/Discharge From a Vehicle
§790.161(3)	Bomb, Destructive Device/Cause Bodily Harm

§790.161(4)	Bomb, Destructive Device/Causing Death
§790.19	Deadly Missile/Shoot, Throw
§790.221	Short-Barrel Shotgun, Rifle, Machine Gun/Possession
§790.23	Firearm/Possession by Felony
§790.401(11)(b)	Violation of Risk Protection Order
§794.011(2)	Sexual Battery/On a Minor/Attempt
§794.011(3)	Sexual Battery/With a Deadly Weapon/Attempt
§794.011(3)	Sexual Battery/With a Deadly Weapon/Force
§794.011(4)	Sexual Battery/By Threats
§794.011(5)	Sexual Battery/By Physical Force
§794.011(5)	Sexual Battery/By Physical Force/Attempt
§794.011(5)	Sexual Battery/By Physical Force/Gang
§794.023	Sexual Battery/Multiple Perpetrators
§794.08(4)	Parent Guardian Consent to Genital Mutilation
§800.02	Unnatural and Lascivious Act

§800.03	Exposure of Sexual Organs
§800.04	Lewd and Lascivious Assault on Child
§806.10	Prevent Hinder Firefighter
§810.02(2)(a)	Burglary/With Assault or Battery
§810.02(2)(a)	Burglary/With Assault or Battery/Armed
§810.02(2)(b)	Burglary/Armed
§810.02(3)	Burglary/Occupied/Dwelling
§810.02(3)	Burglary/Unoccupied Dwelling
§810.02(3)(b)	Burglary/Occupied Structure/Conveyance
§810.02(3)(f)	Burglary/State of Emergency
§810.02(4)(b)	Burglary During a Riot or Aggravated Riot
§810.08(2)(c)	Trespass Armed Structure/Conveyance
§810.09(2)(c)	Trespass/Property Armed
§812.014(2)(b)	Theft During a Riot or Aggravated Riot
§812.014(2)(c)	Theft During a Riot or Aggravated Riot

§812.13(2)(a)	Robbery/Deadly Weapon, Firearm /Attempt
§812.13(2)(a)	Robbery/Deadly Weapon, Firearm
§812.13(2)(b)	Robbery/Armed
§812.13(2)(b)	Robbery/Armed/Attempt
§812.13(2)(b)	Robbery/Armed/Conspiracy
§812.13(2)(b)	Robbery/Armed/Principal
§812.13(2)(c)	Robbery/Strong-arm/Masked
§812.13(2)(c)	Robbery/Strong-arm
§812.13(2)(c)	Robbery/Strong-arm/Attempt
§812.133(2)(a)	Robbery/Carjacking/Armed
§812.133(2)(b)	Robbery/Carjacking
§812.133(2)(b)	Robbery/Carjacking/Attempt
§812.135	Robbery/Home Invasion
§817.233	Burn with Intent to Injure Defraud Insurer
§825.102(1)	Elderly, Disabled Adult/Abuse/Great Bodily Harm
§825.102(2)	Elderly, Disabled Adult/Aggravated Abuse/ Great Bodily Harm
§827.03(2)(a)	Child Abuse/Aggravated

§827.04(3)	Over 21 Impregnate Child Under 16/Child Abuse
§827.071	Sexual Performance by a Child
§828.12(2)	Cause Cruel Death Pain and Suffering - Animal
§836.05	Threats/Extortion
§836.10(1)	Written Threats to Kill, Do Bodily Injury, or Conduct a Mass Shooting or an Act of Terrorism
§836.12(2)	Threat/Law Enforcement/State Attorney/Public Defender/Elected Official or Family
§843.08(1)	Impersonate Law Enforcement Officer
§847.011	Prohibition of Acts in Connection w/ Obscene/Lewd etc. materials when depicting minor or repeat offender
§847.0135	Computer Pornography/Prohibited Comp Use/Travel to Meet Minor
§847.0138	Transmission of Material Harmful to Minors/Electric Device/Equipment
§870.01	Riot
§870.02(1)	Unlawful Assembly
§893.135	Drug Trafficking/Manufacturing All Offenses

§914.22	Tampering with a Witness, Victim, or Informant
§914.23	Retaliate Against Witness/Bodily Injury
§943.0435	Sexual Offender/Failure to Register/Notify
§944.40	Escape
§948.06	Violation of Probation
§951.22	Introduce Contraband Into Detention Facility

- c. In all cases where an individual is arrested for misdemeanor or felony assault or battery upon a spouse, ex-spouse, boyfriend, girlfriend, ex-boyfriend or ex-girlfriend, no bond shall be available prior to the First Appearance hearing.
- d. In all cases where an individual is arrested for violating a rule adopted pursuant to section 381.00315, Florida Statutes, any isolation or quarantine, or any requirement adopted by the Florida Department of Health pursuant to a declared public health emergency, no bond shall be available prior to the First Appearance hearing.
- e. If an arrested person otherwise eligible for release prior to First Appearance pursuant to this Administrative Order is currently on bond or on personal recognizance for a felony or misdemeanor, and the jail learns of such fact at any time prior to the First Appearance hearing that such arrestee would have attended but for this Administrative Order, the arrestee shall not be eligible for bond prior to the First Appearance hearing.
- f. Persons arrested on a warrant for violation of probation, community control, pre-trial release or held pursuant to section 948.06, Florida Statutes, shall be taken before the appropriate judge as set forth in

Administrative Order 2021-71-Crim (Amended), or held as specified in the warrant.

3. Bond Schedule for Crimes Not Listed Above

- a. Except where a bond is previously set on a warrant, including out-of-county bonds, violation of probation, or capias arrest, including a no bond hold, persons arrested for crimes other than those listed above shall be eligible for bond release prior to First Appearance according to the following schedule and provisions:

OFFENSE	BOND AMOUNT
First Degree Felonies	\$15,000
Second Degree Felonies	\$7,500
Third Degree Felonies	Release on Recognizance
Any other crime not specified herein	Release on Recognizance

- b. Pursuant to section 903.046(2)(d), Florida Statutes, when a capias is issued for any defendant who failed to appear on the day of any required court proceeding, and the defendant is later arrested on such capias, such defendant shall not be eligible for a recognizance bond on such capias arrest or for any form of bond which does not require a monetary undertaking or commitment equal to or greater than \$2,000 or twice the value of the monetary commitment or undertaking of the original bond, whichever is greater. However, the court retains discretion in determining conditions of release.

4. Change of Charge(s)

Whenever the State Attorney’s Office changes the arrested charge when an Information is filed:

- a. If the bond on the arrested charge was set at the standard convenience bond for that charge, then the Clerk of the Court shall set the bond on the capias for the filed charge at the standard convenience bond for that charge.
- b. If the bond on the arrested charge was specially set at First Appearance or on an arrest warrant, then the Clerk of the Court shall set the bond on the capias for the filed charge at either the standard convenience

bond for the filed charge, or the specially set bond for the arrested charge, whichever is higher.

- c. If the defendant is still in custody when the Information is filed, the defendant shall be brought before the magistrate judge within 24 hours of service of the change of charge capias to address the new charge(s).
- d. If the defendant is not in custody when the Information is filed, bond on the filed charge shall be reviewed at the “Arraignment and Bond Status-mandatory Appearance Hearing.”

5. General Provisions

- a. When an accused is brought to a First Appearance hearing, all proceedings are governed by Florida Rule of Criminal Procedure 3.131.
- b. The Clerk of the Court shall notify any person who is released on their own recognizance under this Administrative Order or otherwise of their court date. The booking officer shall provide information to any arrestee who is released on their own recognizance as to how they can obtain their next court date. Prior to release, the arrestee will acknowledge in writing that he or she:
 - i. will have no contact with the alleged victim(s), if any, and comply with any no-contact order;
 - ii. will not possess a weapon or firearm of any kind (if released on a weapons or firearms charge);
 - iii. will refrain from any future criminal activity of any kind;
 - iv. will appear for court upon notification at the address that he or she has provided to BSO prior to release; and
 - v. acknowledge that a violation of any of the above-listed conditions of release may result in revocation of the pre-trial release conditions and result in re-arrest.
- c. Nothing in this Administrative Order precludes the booking officer from holding an arrestee over for First Appearance based on good cause shown, i.e., extensive criminal history or the accused poses a public safety threat if released prior to first appearance.
- d. At the time of release, the Broward Sheriff’s Office will obtain the arrestee’s current address, telephone number, and email address (if available).

This Administrative Order supersedes and vacates Administrative Orders 2019-98-Crim and 2021-45-Crim.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida, this 10th day of February, 2022.

/s/ Jack Tuter
Jack Tuter, Chief Judge