

**IN THE THIRTEENTH JUDICIAL CIRCUIT  
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2022-011  
(Supersedes Administrative Order S-2010-021)**

**PRETRIAL GLOBAL POSITIONING SYSTEM  
("GPS") HOUSE ARREST**

Members of the criminal justice community in this circuit recognize that the proper detention of certain persons is a matter of great public concern and community safety. The Hillsborough County Jail System must operate within mandatory population guidelines set by law. The courts of this circuit seek to comply with jail population guidelines without compromising the safety of the community.

The court has the authority under section 907.041, Florida Statutes, to release an arrested person on electronic monitoring if the facts and circumstances warrant such a release. In response to a recommendation of a committee of judges and other members of the criminal justice community, the Hillsborough County Sheriff has operated an electronic monitoring pretrial house arrest program since 1993 and a pretrial house arrest program utilizing an active Global Positioning System ("GPS") since 2004.

It is necessary to clarify the process by which service charges are borne when a judge requires a pretrial felony detainee, who is posting a bail bond, to be placed on GPS house arrest.

The sheriff is hereby authorized as the chief judge's designee, in accordance with Florida Rule of General Practice and Judicial Administration 2.215(b)(8), to administer the pretrial release actions described in this administrative order. By the power vested in the chief judge under Florida Rules of General Practice and Judicial Administration 2.215(b)(2) and (b)(8), it is ORDERED:

**1. Pretrial Global Positioning System ("GPS")  
House Arrest Program**

The Hillsborough County Sheriff continues to operate a Pretrial House Arrest Program using an active Global Positioning System

("GPS"). This program is available to those detainees who are released from custody on their own recognizance ("ROR") in lieu of posting bond.

**2. Eligibility for Sheriff's Use of Pretrial GPS**

The Hillsborough County Sheriff's Office may release a pretrial detainee held in the Hillsborough County Jail System on his or her own recognizance for placement in the Pretrial GPS House Arrest Program if the detainee is being held with a total bond amount of \$5,000 or less and has been in jail for at least 48 hours. Any of the following criteria excludes a person from consideration:

- A. Qualification as a sexual offender as defined by section 943.0435(1)(a), Florida Statutes;
- B. Any conviction of treason; murder; manslaughter; sexual battery; aircraft piracy; kidnapping; or home-invasion robbery;
- C. Any conviction within the past 10 years of carjacking; robbery; arson; aggravated assault; aggravated battery; aggravated stalking; unlawful throwing, placing or discharging of a destructive device or bomb; or any other felony which involves the use or threat of physical force or violence against any individual;
- D. Currently charged with a dangerous crime as defined in section 907.041(4)(a), Florida Statutes;
- E. Any determination by the Sheriff's Office that a person presents an escape risk, including any history of escapes or attempted escapes;
- F. Detainers of any kind;
- G. Non-resident of Hillsborough County; or
- H. Residence in an area that has no cellular telephone service.

### **3. Court Order**

In addition to being placed on the Pretrial GPS House Arrest Program by the Sheriff in accordance with section 2 of this administrative order, any eligible felony pretrial detainee who has been in jail for at least 48 hours and who does not possess sufficient assets to post bond may be released on their own recognizance by the court and placed in the Pretrial GPS House Arrest Program. Any judicial decision to grant an eligible felony detainee ROR with placement in the Pretrial GPS House Arrest Program must be documented on the progress docket or reflected in a written order. A person will be excluded from consideration if the person is a non-resident of Hillsborough County or resides in an area of Hillsborough County that has no cellular telephone service to allow GPS tracking. If a judge requires that a felony detainee, who is posting a bail bond, be placed on electronic monitoring services, third-party monitoring services – not the Hillsborough County Sheriff – must be used.

### **4. Cost**

Pretrial GPS House Arrest participants will not be required to pay a fee for participation in the program. However, each participant will be liable for the replacement cost of any equipment damaged while in that participant's possession.

### **5. Contract**

Pretrial GPS House Arrest participants must agree to the terms as set forth in the contract for Pretrial GPS House Arrest. The contract will describe the terms and conditions for continued participation in the program. Violation of any term or condition of the contract for Pretrial GPS House Arrest will result in termination from the program and in the detainee being returned to the secure custody of the jail until such time as the court directs otherwise. If the sheriff determines that a person has violated the terms of the contract or is otherwise a risk to the community, the sheriff will immediately return such offender to the secure custody of the jail without having to obtain warrants, pick-up orders, orders to show cause or any other instruments which normally may be issued by the court for such purpose.

**6. Jail Credit**

Jail credit time will not be granted to individuals admitted into the Pretrial GPS House Arrest Program because such program is not considered the functional equivalent of incarceration in the county jail under section 921.161, Florida Statutes.

**7. Dissolution of Pretrial Detention Order**

A detainee will be entitled to dissolution of the pretrial detention order whenever the court finds that a later event has eliminated the basis for the detention.

**8. Monitoring**

The sheriff is responsible for establishing procedures necessary to ensure proper monitoring of any person admitted to Pretrial GPS House Arrest.

**9. Medical and Dental Fees**

Eligibility for and admission to the Pretrial GPS House Arrest Program is for the sole benefit of the accused. Neither the sheriff nor Hillsborough County will in any way be responsible for any medical or dental fees for any participant of this program.

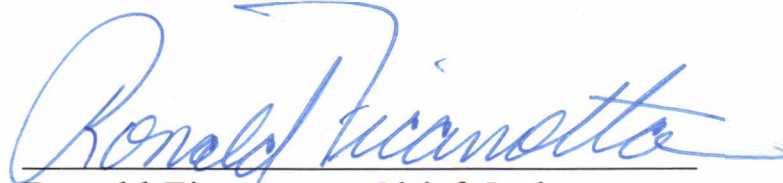
**10. Previous Administrative Order Superseded**

This administrative order supersedes Administrative Order S-2010-021 (*Pre-Trial Global Positioning System ("GPS") House Arrest*).

**11. Effective Date**

This administrative order is effective June 1, 2022.

ENTERED on May 20, 2022.

  
Ronald Ficarrotta, Chief Judge

Original: Cindy Stuart, Clerk of the Circuit Court

Copy: All Criminal Division Judges  
Chad Chronister, Hillsborough County Sheriff  
Andrew Warren, State Attorney  
Julianne Holt, Public Defender  
Mary O'Connor, Chief of Police, Tampa  
James Bradford, Chief of Police, Plant City  
Kenneth Albano, Chief of Police, Temple Terrace