

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

**ADMINISTRATIVE ORDER S-2025-005  
(Supersedes Administrative Order S-2024-081)**

**PRETRIAL ELECTRONIC MONITORING PROGRAMS  
(GLOBAL POSITIONING SYSTEM ("GPS") AND  
ALCOHOL MONITORING)**

Sections 903.046 and 907.041, Florida Statutes, and Florida Rule of Criminal Procedure 3.131 empower the court to determine the conditions of release for an arrested person that are reasonably necessary to assure the appearance of the defendant at subsequent proceedings, to protect the community against unreasonable danger of harm, and assure the integrity of the judicial process.

In response to a recommendation of a committee of judges and other members of the criminal justice community, the Hillsborough County Sheriff operates an electronic monitoring program utilizing an active Global Positioning System ("GPS"). The Hillsborough County Sheriff also operates an alcohol monitoring program using SoberTrack® devices.

It is necessary to clarify the process by which service charges are borne when a judge requires a pretrial detainee, who is posting a bail bond, to be placed in an electronic monitoring program.

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")  
and Pretrial Alcohol Monitoring Programs**

The Hillsborough County Sheriff operates a pretrial electronic monitoring program using an active global positioning system

("GPS") and SoberTrack® alcohol monitoring devices. These programs are available to those detainees who are released from custody on their own recognizance ("ROR") in lieu of posting bond after having been in jail for at least 48 hours.

**2. Eligibility for the Sheriff's Use of Pretrial GPS and SoberTrack®**

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 program without further order of the court, or may release a pretrial detainee held in the Hillsborough County jail system on his or her own recognizance for placement on a pretrial SoberTrack® alcohol monitoring device if ordered by the court, but only if the detainee is being held with a total bond amount of \$10,000 or less and has been in jail for at least 48 hours. Any of the following criteria excludes a person from consideration for either of these programs:

- A. Qualification as a sexual offender as defined by section 943.0435(1), 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(5)(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**

#### **A. Court-Ordered Release on Own Recognizance**

Any eligible 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 program or on a pretrial SoberTrack® alcohol monitoring device. Eligible pretrial detainees may be placed on a SoberTrack® alcohol monitoring device only if charged with DUI/BUI (first offense when the alcohol breath test is more than twice the legal limit) or DUI/BUI second and third offenses that are misdemeanors. Any judicial decision to grant an eligible detainee ROR with placement in the pretrial GPS program or placement on a pretrial SoberTrack® alcohol monitoring device must be documented on the progress docket or reflected in a written order.

#### **B. Court-Ordered Bond is Being Posted**

If a judge requires that a detainee, who is posting a bail bond, be placed on electronic monitoring services and the detainee is not otherwise eligible under section 2 of this administrative order, third-party monitoring services – not the Hillsborough County Sheriff – must be used. If a judge imposes as a condition of release the Sheriff's pretrial GPS program or the Sheriff's pretrial SoberTrack® alcohol monitoring device program and the defendant is not otherwise eligible under section 2 of this administrative order for such program, the court-ordered condition of release will be

satisfied by private electronic monitoring services or private pretrial alcohol monitoring services without a separate court order.

#### **4. Cost**

Pretrial GPS participants and pretrial defendants placed on a SoberTrack® alcohol monitoring device will not be required to pay a fee for participation in either 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 participants and pretrial defendants placed on a SoberTrack® alcohol monitoring device must agree to the terms as set forth in the contract for these programs. The contracts will describe the terms and conditions for continued participation in the programs. Violation of any term or condition of the contracts will result in termination from the respective 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 program and pretrial defendants placed on a SoberTrack® alcohol monitoring device because these programs are 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 or any person placed pretrial on a SoberTrack® alcohol monitoring device.

**9. Medical and Dental Fees**

Eligibility for and admission to the pretrial GPS program or the SoberTrack® alcohol monitoring 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-2024-081 (*Pre-Trial Global Positioning System ("GPS") House Arrest*).

**11. Effective Date**

This administrative order is effective immediately.

ENTERED on January 27, 2025.



Christopher C. Sabella, Chief Judge

Original: Victor D. Crist, Clerk of the Circuit Court  
Copy: All Criminal Division Judges  
Chad Chronister, Hillsborough County Sheriff  
Susan "Suzy" Lopez, State Attorney  
Lisa McLean, Public Defender  
Lee Bercaw, Chief of Police, Tampa  
Richard Mills, Jr., Chief of Police, Plant City  
Kenneth R. Albano, Chief of Police, Temple Terrace