

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 4.202-01/24*

IN RE: SCHEDULE OF BONDS AND PROCEDURES
RELATING TO PRE-FIRST APPEARANCE RELEASE

The Fifteenth Judicial Circuit, in compliance with Supreme Court of Florida Administrative Order 23-88 addressing the Uniform Statewide Bond Schedule, has established a system for the release of persons accused of crimes on bond prior to the first appearance hearing.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of General Practice & Judicial Administration 2.215, it is **ORDERED** as follows:

I. CRIMES NOT ELIGIBLE FOR BOND PRIOR TO FIRST APPEARANCE

If the person's current offense is for one or more of the following crimes, the person shall not be entitled to bond prior to the first appearance hearing:

1. A capital felony, life felony, felony of the first degree, or felony of the second degree;
2. A homicide under chapter 782; or any attempt, solicitation, or conspiracy to commit a homicide;
3. Assault in furtherance of a riot or an aggravated riot; felony battery; domestic battery by strangulation; domestic violence, as defined in s. 741.28; stalking; mob intimidation; assault or battery on a law enforcement officer; assault or battery on juvenile probation officer, or other staff of a detention center or commitment facility, or a staff member of a commitment facility, or health services personnel; assault or battery on firefighter, emergency care provider, public transit, or other specified persons; assault or battery on a person 65 years of age or older; robbery; burglary; carjacking; or resisting an officer with violence;
4. Kidnapping, false imprisonment, human trafficking, or human smuggling;
5. Possession of a firearm or ammunition by a felon, violent career criminal, or person subject to an injunction against committing acts of domestic violence, stalking, or cyberstalking;
6. Sexual battery; indecent, lewd, or lascivious touching; exposure of sexual organs; incest; luring or enticing a child; child pornography, prohibited computer usage, traveling to meet a minor; transmission of material harmful to minors by electronic device or equipment;
7. Abuse, aggravated abuse, neglect, or exploitation of an elderly person or disabled adult;
8. Child abuse or aggravated child abuse;

9. Arson; riot, aggravated riot, inciting a riot, or aggravated inciting a riot; unlawful assembly; or a burglary or theft during a riot;
10. Escape; tampering or retaliating against a witness, victim, or informant; destruction of evidence; or tampering with a jury;
11. Any offense committed for the purpose of benefitting, promoting, or furthering the interests of a criminal gang;
12. Trafficking in a controlled substance, including conspiracy to engage in trafficking in a controlled substance;
13. Racketeering;
14. Failure to appear at required court proceedings while on bail;
15. Failure to report child abuse, abandonment, or neglect;
16. DUI or BUI resulting in serious bodily injury;
17. Driving while license canceled, suspended or revoked causing death or serious bodily injury;
18. Violation of condition of pre-trial release- domestic violence;
19. Domestic violence, violation of an injunction;
20. Sexual predators or offender - failure to notify/ register;
21. Aggravated assault;
22. Dating violence;
23. Violation of condition of pre-trial release- dating violence;
24. Sexual cyberharassment;
25. Interference with custody;
26. Removal or concealment of minor contrary to state agency or court order;
27. Weapons while engaged in criminal offense;
28. Possession or discharging a weapon or firearm at a school sponsored event or on school property;

29. Violation of a risk protection order;
30. Contributing to the delinquency/ dependency of a child- impregnate child under 16;
31. Unlawful desertion of a child;
32. Threats or harassment;
33. Depriving crime victim of medical care; or
34. Prohibition of acts in connection with obscene/lewd etc. materials when depicting a minor or repeat offender.

II. PERSONS NOT ELIGIBLE FOR BOND PRIOR TO FIRST APPEARANCE

A person is not eligible for release prior to first appearance if the person meets any of the following criteria:

1. The person was, at the time of arrest, on pretrial release (including release on own recognizance), probation, or community control in this state or any other state;
2. The person was, at the time of arrest, designated as a sexual offender or sexual predator in this state or any other state;
3. The person was arrested for violating a protective injunction;
4. The person was, at the time of arrest, on release from supervision under s. 947.1405, s. 947.146, s. 947.149, or s. 944.4731;
5. The person has, at any time before the current arrest, been sentenced pursuant to s. 775.082(9) or s. 775.084 as a prison releasee reoffender, habitual violent felony offender, three-time violent felony offender, or violent career criminal; or
6. The person has been arrested three or more times in the 6 months immediately preceding his or her arrest for the current offense.

III. WARRANTS

Bail for persons arrested on a violation of probation warrant or a failure to appear warrant will be set in the amount provided for in the warrant itself. If the violation of probation warrant or the failure to appear warrant is silent as to a bail bond amount, then there will be no bond, pending the arrested person's next appearance before a judge.

Bail for arrest warrants will be set in the amount provided for in the warrant itself. If the arrest warrant is silent as to a bail bond amount, then the bail bond will be set in accordance with the provisions of this administrative order.

IV. BOND SCHEDULE

Persons arrested for crimes other than those listed above and not excluded per subsection II shall be eligible for bond release prior to first appearance according to the following schedule and provisions:

A. FELONIES:

FIRST-DEGREE FELONIES

Not eligible

SECOND-DEGREE FELONIES

Not eligible

THIRD-DEGREE FELONIES

Bond: \$5,000.00

B. MISDEMEANORS/TRAFFIC CRIMES/VIOLATIONS OF MUNICIPAL AND COUNTY ORDINANCES:

1. OFFENSES AND BOND AMOUNT

DRIVING UNDER THE INFLUENCE OR BOATING UNDER THE INFLUENCE (FIRST DEGREE MISDEMEANOR AND SECOND DEGREE MISDEMEANOR)

Bond: \$1,000.00

FIRST DEGREE MISDEMEANOR OR AN ORDINANCE PUNISHABLE LIKE A FIRST DEGREE MISDEMEANOR

Bond: \$1,000.00

SECOND DEGREE MISDEMEANOR OR AN ORDINANCE PUNISHABLE LIKE A SECOND DEGREE MISDEMEANOR

Bond: \$250.00

2. PROVISIONS RELATING TO BONDS FOR MISDEMEANORS, TRAFFIC CRIMES AND VIOLATIONS OF MUNICIPAL AND COUNTY ORDINANCES:

- a. The above bond schedule shall be utilized by the booking desk of the Palm Beach County Jail.
- b. In all cases where a defendant is arrested for misdemeanor 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.

V. **FIRST APPEARANCE**

When an accused is brought to a first appearance hearing, all proceedings are governed by Florida Rule of Criminal Procedure Rule 3.130 and the bonds for pre-first appearance release under this administrative order shall cease to be effective.

DONE and **SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this 11th day of January 2024.

 THE
15TH JUDICIAL CIRCUIT
OF FLORIDA
ADMINISTRATIVE OFFICE OF THE COURT

Glenn Kelley, Chief Judge

*supersedes admin. order no. 4.202-12/2023