

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE, HIGHLANDS AND POLK COUNTIES, FLORIDA

ADMINISTRATIVE ORDER 1-40.0

ORDER ESTABLISHING RELEASE OF INMATES DURING NATURAL
DISASTERS OR INCIDENTS INVOLVING WEAPONS OF MASS DESTRUCTION

WHEREAS, there may be occurrences of natural disasters or incidents involving weapons of mass destruction greatly affecting the areas of Hardee, Highlands and Polk Counties, and

WHEREAS, the Court has determined that during such times, it may become necessary to decrease the population in the county jails, and

WHEREAS, the Court has developed a procedure for the emergency release of select sentenced nonviolent inmates from the Hardee County Detention Facility, the Highlands County Detention Facility and the Polk County Jail, it is hereby

ORDERED that such procedure shall be as set out below.

HARDEE COUNTY

1. Those select sentenced nonviolent inmates who meet the criteria for placement on the County Maintenance Program (Trustee) and have sixty days or less to serve on their sentence may be released.
2. Those select sentenced nonviolent inmates who are incarcerated for Failure to Pay Purge or Failure to Pay Fine and placed on or reinstated on the Partial Payment Plan may be released.
3. The Hardee County Sheriff's Office shall issue specific orders, provisional release instructions, that specify the conditions of such release or requires the released inmate to report back to the Hardee County Detention Facility in a specified amount of time after the natural disaster or incident involving weapons of mass destruction.

HIGHLANDS COUNTY

1. Those select sentenced nonviolent inmates who meet the criteria for placement on the County Maintenance Program and have sixty days or less to serve on their sentence may be released.
2. Those select sentenced nonviolent inmates who are incarcerated for Failure to Pay Purge and placed on or reinstated on the Partial Payment Plan may be released.
3. The Highlands County Sheriff's Office shall issue specific instructions to those who are released that require the released inmates to report to the Pre-Trial Release Office or the Salvation Army Probation Office, as applicable.

POLK COUNTY

1. Those select sentenced nonviolent inmates who meet the criteria for placement on the County Maintenance Program (Trustee) and have sixty days or less to serve on their sentence may be released.
2. Those select sentenced nonviolent inmates who are incarcerated for Failure to Pay Purge or Failure to Pay Fine and placed on or reinstated on the Partial Payment Plan may be released.
3. The Polk County Sheriff's Office shall issue specific orders, provisional release instructions, that specify the conditions of such release or requires the released inmate to report back to the Polk County Jail in a specified amount of time after the natural disaster or incident involving weapons of mass destruction.

A suggested form entitled "Provisional Release Instructions" is attached and may be used in meeting the requirements of this Order.

This Administrative Order shall have immediate effect.

DONE AND ORDERED on this _____ day of February, 2005.

RONALD A. HERRING
Chief Judge

Distribution:

All Judges
Sheriffs – Hardee, Highlands and Polk Counties
Clerks of the Court – Hardee Highlands and Polk Counties
Pre-Trial Release Offices – Highlands and Polk Counties
Salvation Army Probation Office – Highlands County
County Probation – Hardee, Highlands and Polk Counties
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