

**IN THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2025-003 PA/PI-CIR

RE: RELEASE OF CERTAIN DETAINEES UPON AN EMERGENCY

It is necessary to designate the process by which certain detainees may be released in the event of an emergency.

In accordance with Article V, section 2, Florida Constitution, Florida Rule of General Practice and Judicial Administration 2.215, and section 43.26, Florida Statutes,

IT IS ORDERED:

1. Whenever the Chief Judge activates the Court Operations in Emergencies Administrative Order, the Pasco County Chief Correctional Officer (hereinafter "Pasco Chief Correctional Officer") and the Pinellas County Sheriff (hereinafter "Pinellas Sheriff") are authorized:

- A. To relocate any person in the custody of the Pasco Chief Correctional Officer or Pinellas Sheriff to an alternative jail or prison facility or other secure facility within the State of Florida.
- B. To assign a deferred reporting date to all persons who are scheduled to report to the jail, including those who are scheduled for weekend jail time.

2. When the Court Operations in Emergencies Administrative Order is activated and when mandatory evacuation is ordered by the Board of County Commissioners, the Pasco Chief Correctional Officer and the Pinellas Sheriff, or their designees, may, in their sole discretion, relocate or release on their own recognizance those persons listed below who are housed in those sections of the jail for which mandatory evacuation has been directed. Should release, rather than relocation of the inmates, be necessary, the Pasco Chief Correctional Officer and the Pinellas Sheriff shall release inmates in the following stages:

- A. Work release inmates including those who are electronically monitored and those who are not electronically monitored. Those who are electronically monitored should continue to be electronically monitored as conditions permit.
- B. County-court-sentenced misdemeanants as determined by the Pasco Chief Correctional Officer or the Pinellas Sheriff.
- C. Non-sentenced misdemeanants as determined by the Pasco Chief Correctional Officer or the Pinellas Sheriff.
- D. Non-violent felons as determined by the Pasco Chief Correctional Officer or the Pinellas Sheriff.

If the Pasco Chief Correctional Officer determines that additional inmates should be released, the Pasco Chief Correctional Officer will consult with the Pasco Administrative Judge or the Chief Judge and advise them of the facts and circumstances making the release of additional

inmates necessary for the safety and security of the inmates and the detention and corrections staff. If the Pinellas Sheriff determines that additional inmates should be released, the Pinellas Sheriff will consult with the Pinellas Criminal Administrative Judge or the Chief Judge and advise them of the facts and circumstances making the release of additional inmates necessary for the safety and security of the inmates and the detention and corrections staff. Should the designated judge find the release of inmates necessary and appropriate under the particular facts and circumstances described to them by the respective jail authority, the designated judge may order the release of the following inmates:

- E. Inmates whose sentence will be completed within 7 days following release.
- F. Other inmates designated by the Pasco Administrative Judge for Pasco County, the Pinellas Criminal Administrative Judge for Pinellas County, or the Chief Judge for either county.

3. Should the Pasco Chief Correctional Officer or the Pinellas Sheriff determine that an emergency situation, other than when the Board of County Commissioners has ordered mandatory evacuation, requires the release of inmates, the Pasco Chief Correctional Officer or the Pinellas Sheriff will consult with the Chief Judge and advise them of the facts and circumstances which make release of inmates necessary for the safety and security of the inmates and the detention and corrections staff. Should the Chief Judge, or their designee, find the release of inmates necessary and appropriate under the particular facts and circumstances described by the Pasco Chief Correctional Officer or the Pinellas Sheriff, or their designees, the Chief Judge, or their designee, may order the release of inmates in the following stages:

- A. Work release inmates including those who are electronically monitored and those who are not electronically monitored. Those who are electronically monitored should continue to be electronically monitored as conditions permit.
- B. County-court-sentenced misdemeanants as determined by the Pasco Chief Correctional Officer or the Pinellas Sheriff.
- C. Non-sentenced misdemeanants as determined by the Pasco Chief Correctional Officer or the Pinellas Sheriff.
- D. Non-violent felons as determined by the Pasco Chief Correctional Officer or the Pinellas Sheriff.
- E. Inmates whose sentence will be completed within 7 days following release.
- F. Other inmates designated by the Chief Judge.

Prior to releasing inmates under this Order, the Pasco Chief Correctional Officer, or their designee, must notify the Pasco Sheriff, or their designee, of an inmate's impending release, providing information necessary for any notification that may be required by law.

The Pasco Chief Correctional Officer and the Pinellas Sheriff must provide all persons who are released under paragraph 2. or 3. a date and time to return to the jail for completion of their sentence following the emergency, except that inmates who are released by specific approval of the Pasco Administrative Judge in Pasco County, the Pinellas Criminal Administrative Judge in Pinellas County, or the Chief Judge under paragraph 2.E or 3.E because their sentence will be completed within 7 days following release will be deemed to have completed their sentence and

are not required to return to jail.

Inmates who are released under paragraph 2. or 3. and who return as provided herein shall be given one day's credit against their sentence for each day or portion thereof during such time as the inmate was released. Inmates who fail to timely return shall not be given credit against their sentence for any time released under this Order. A warrant shall be issued for the arrest of any inmate who fails or refuses to report as provided herein and such warrants shall be presented to the Pasco Administrative Judge or Pinellas Criminal Administrative Judge. Inmates who fail to appear will be subject to court sanctions, possible contempt, and may be charged with additional criminal violations. When the Pasco Chief Correctional Officer or the Pinellas Sheriff provides a date and time for the inmate to return, the Pasco Chief Correctional Officer and the Pinellas Sheriff shall also provide notice of the consequences for failure to return.

Release of a defendant under paragraph 2. or 3. is solely to address the emergency circumstances and is not pretrial release. Such release does not change the bond status of the defendant when released or upon the return of the defendant to jail.

Within 15 days following the release of any inmate under paragraph 2. or 3., the Pasco Chief Correctional Officer and the Pinellas Sheriff shall provide a report to the Chief Judge on the number of inmates released and the status of those inmates.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida, this ____ day of January 2025.

ORIGINAL SIGNED ON JANUARY 14, 2025
BY SHAWN CRANE, CHIEF JUDGE

cc: All Judges, Judicial Assistants, and Court Staff
The Honorable Bruce Bartlett, State Attorney
The Honorable Sara Mollo, Public Defender
The Honorable Nikki Alvarez-Sowles, Clerk of the Circuit Court, Pasco County
The Honorable Ken Burke, Clerk of the Circuit Court, Pinellas County
The Honorable Chris Nocco, Sheriff, Pasco County
The Honorable Bob Gualtieri, Sheriff, Pinellas County
Jennifer Parker, Trial Courts Administrator
Michele Emmerman, Deputy Trial Courts Administrator
Ngozi Acholonu, Assistant Regional Counsel
Jeffrey Steinsnyder, County Attorney, Pasco County
Jewel White, County Attorney, Pinellas County
Mike Carballa, County Administrator, Pasco County
Barry A. Burton, County Administrator, Pinellas County

Stacey Jenkins, Chief Correctional Officer, Pasco County Board of County
Commissioners
Florida Department of Juvenile Justice
Florida Department of Children and Families
Florida Department of Corrections
Andrew Fossa, Emergency Management, Pasco County
Cathie Perkins, Emergency Management, Pinellas County
Yashira Gonzalez, Justice Coordination Manager, Pinellas County
Probation and Parole, Pasco County
Domestic Violence Shelters, Pasco and Pinellas Counties
Law Enforcement Agencies, Pasco and Pinellas Counties
Bar Associations
Law Library, Pinellas County