

IN THE CIRCUIT COURT OF THE 16TH
JUDICIAL CIRCUIT OF THE STATE OF
FLORIDA IN AND FOR MONROE
COUNTY

ADMINISTRATIVE ORDER 2.043/98-1

IN RE:

PROCEDURE FOR THE CLASSIFICATION
AND ASSIGNMENT OF INMATES TO WORK
RELEASE WITHIN MONROE COUNTY
DETENTION FACILITIES

In accordance with the authority vested in the Chief Judge by Rule 2.050 of the Florida Rules of Judicial Administration; and

WHEREAS, the Sheriff of Monroe County is responsible for maintaining detention facility security and ensuring public safety; and

WHEREAS, it is necessary and in the public interest to establish administrative procedures to permit the Sheriff of Monroe County, acting as the Chief Correctional Officer, to most efficiently, safely, and effectively exercise the lawful duty of operating and maintaining the various Monroe County detention facilities and correctional programs;

IT IS THEREFORE ORDERED THAT:

1. The Sheriff of Monroe County, acting as the Chief Correctional Officer, is hereby authorized to classify, assign and transfer at his discretion all post-conviction, fully county-sentenced misdemeanor and third degree felony Monroe County Detention Facility inmates to any of the various Monroe County Detention Facilities and correctional programs subject to the other provisions of this administrative order, including the limitations contained below in paragraphs 3, 4 and 5, and unless otherwise specified in writing in the sentencing order by the sentencing judge.
2. "Monroe County Detention Facility," as used in this administrative order, shall mean any county jail facility or, for the future, any county stockade, county work camp, or any other place, including any county residential work release program and residential transitional incarceration program, secured or non-secured, wherever located.
3. "Work Release Program," as used in this administrative order, shall mean a program for fully county-sentenced offenders serving misdemeanor or felony sentences in a Monroe County Detention Facility, whereby said offenders (after the Sheriff of Monroe County determines that said offenders do not pose a substantial security and safety risk to the community) are granted the privilege to leave the confines of a county detention facility during necessary and reasonable hours, subject to the rules and regulations prescribed by the court to work at paid

employment, conduct their own business or profession, or participate in an educational or vocational training program, while continuing as inmates of the Monroe County Detention Facility in which they shall be confined except during the period of his or her authorized release. An offender shall be ineligible for the privilege of assignment into the Work Release Program if the sentencing judge specifically prohibits said offender from Work Release Program eligibility in writing in the sentencing order.

4. A Monroe County Detention Facility inmate shall be eligible for placement into the Work Release Program only if said inmate is:
 - 1) fully county-sentenced, and 2) has local ties to the community.
5. A Monroe County Detention Facility inmate shall be ineligible for placement into the Work Release Program, or for the future, any other county residential program if the Sheriff of Monroe County, as the Chief Correctional Officer, determines that said inmate:
 - a. has open charges or detainers;
 - b. was ever convicted of sexual battery or other violent sexual offense;
 - c. was ever convicted of any violent crime that would cause the inmate to be considered a threat to the community;
 - d. has a severe mental or physical disability which renders program participation unreasonable albeit in compliance with the Americans with Disabilities Act;
 - e. previously escaped from any jail, prison or work release program, or absconded from a previous community control (house arrest) sentence;
 - f. exhibited poor conduct while serving as an inmate in any Monroe County Detention Facility;
 - g. was previously revoked from a work release program, transitional incarceration program or other residential probation program due to drug or alcohol violations and has not successfully completed a recovery program; or
 - h. has a sever, recent criminal history
6. The provisions of this order are purely discretionary, no sentenced violator/prisoner has the "right" to participate in this program. His or her participation is a privilege, granted by the Sheriff of Monroe County.

DONE AND ORDERED at Key West, Monroe County, Florida, this 11 day of May, 1998.

Sandra Taylor
Chief Judge