

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
IN AND FOR CITRUS COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER NO. C-2013- 59**

**IN RE:**

**ALTERNATIVE SANCTIONS PROGRAM**

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**WHEREAS**, there is a substantial number of technical violations that do not involve a new arrest or other serious violations; and,

**WHEREAS**, arresting and incarcerating certain non-violent offenders for minor violations of probation or community control is both expensive and nonproductive; and,

**WHEREAS**, there is research to support that recidivism may be reduced by utilizing collaborative efforts among the courts, probation and law enforcement to hold offenders accountable and apply swift and certain sanctions for technical violations of probation or community control; and,

**WHEREAS**, an administrative option for processing technical violations will have the potential to offer benefits including:

- Reducing the court docket of probation and community control violation hearings;
- Reducing the workload of prosecutors and defense attorneys involved with many technical violation hearings;
- Reducing law enforcement resources required to serve violation warrants for certain technical violations;
- Reducing jail population for offenders pending violation hearings; and,
- Offering the offender an alternative to a violation hearing in court, which will allow the offender to remain engaged in employment, school, treatment, etc. and allow the offender to take immediate responsibility for his/her actions and consequences of those actions.

It is therefore, **ORDERED AND ADJUDGED** that:

1. **ALTERNATIVE SANCTIONS PROGRAM.** There is created in Citrus County a program that shall be known as an Alternative Sanctions Program.
  
2. **ELIGIBILITY.** To be eligible for the program, offenders must have been placed on probation or community control under the supervision of the Department of Corrections by a judge in Citrus County, have stable community ties, and have a stable residence in Florida.

Offenders who are eligible for the program include probation offenders, drug offenders, and community control supervision offenders. The program only applies to offenders who have committed certain technical violations addressed in the Alternative Sanctions Program Violation/Sanction Matrix included in section (3) of this Order. The threat an offender poses to public safety is most important factor in determining eligibility. Offenders with a lengthy or violent criminal history, including sex offenders, are not eligible to be in the program. Additionally, offenders who have new law violations, are absconders, or have violated a “no contact” condition of supervision are not eligible for the program. No offender who has three or more previous violations is eligible for the program.

**3. QUALIFYING TECHNICAL VIOLATIONS AND APPROVED SANCTIONS.** The following matrix lists the specific technical violations that may be addressed through the Alternative Sanctions Program process for offenders who were sentenced in Citrus County, Florida. Each technical violation includes a list of sanctions determined and approved by the court for the probation officer to select from when reporting these technical violations, based on the individual offender’s circumstances at the time of the violation.

**ALTERNATIVE SANCTIONS PROGRAM VIOLATION/SANCTION MATRIX**

VIOLATION	APPROVED LIST OF SANCTIONS
Condition(1): Failed to report as instructed	<ol style="list-style-type: none"> <li>1. Weekly call in for 6 weeks</li> <li>2. Daily call in for 30 days</li> <li>3. Report twice a month for 60 days</li> </ol>
Condition (3): Failed to report changes in residence or employment without first procuring the officer’s consent (or notifying immediately if evicted from residence or laid off from job)	<ol style="list-style-type: none"> <li>1. Weekly call in for 6 weeks</li> <li>2. Twice a month reporting for 3 months</li> <li>3. Weekly reporting for 6 weeks</li> </ol>
Condition (3): Failed to request permission prior to leaving the county	<ol style="list-style-type: none"> <li>1. Weekly call in for 6 weeks</li> <li>2. Twice a month reporting for 60 days</li> <li>3. Weekly reporting for 6 weeks</li> </ol>
Condition (6): Found to be associating with person(s) engaged in criminal activity	<ol style="list-style-type: none"> <li>1. Curfew from 8 pm to 6 pm for 90 days (can be modified by probation officer for treatment/work purposes)</li> <li>2. Weekly call in for 6 weeks</li> <li>3. 25 hours public service work</li> </ol>
Condition (7): Positive drug test for non-	<ol style="list-style-type: none"> <li>1. Drug evaluation and successfully</li> </ol>

prescribed drugs (first occurrence)	<p>complete treatment determined necessary</p> <ol style="list-style-type: none"> <li>2. Increase level of treatment program up to and including residential</li> <li>3. Curfew from 8 pm to 6 am for 90 days (can be modified by probation officer for treatment/work purposes)</li> </ol>
Condition (7): Positive drug test for non-prescribed drugs (second occurrence)	<ol style="list-style-type: none"> <li>1. Drug evaluation and successfully complete treatment determined necessary</li> <li>2. Increase level of treatment program up to and including residential</li> <li>3. Curfew from 8 pm to 6 am for 90 days (can be modified by probation officer for treatment/work purposes)</li> </ol>
Condition (8): Failure to maintain employment	<ol style="list-style-type: none"> <li>1. Weekly reporting with job search logs until employed</li> <li>2. Daily reporting with job search logs until employed</li> <li>3. Curfew from 8 pm to 6 am for 90 days (can be modified by probation officer for treatment/work purposes)</li> </ol>
Condition (10): Failure to pay monetary obligations	<ol style="list-style-type: none"> <li>1. If unemployed – daily job search log</li> <li>2. If employed – monthly budgeting</li> <li>3. Curfew from 8 pm to 6 am for 90 days (can be modified by probation officer for treatment/work purposes)</li> <li>4. Weekly call in until monetary obligations current</li> <li>5. Extend probation to auto term upon completion of all conditions.*</li> </ol>
Condition (11): Failure to submit to random testing as directed	<ol style="list-style-type: none"> <li>1. Weekly reporting by 11 am</li> <li>2. Reporting 3 times a week by 11 am</li> <li>3. Curfew from 8 pm to 6 am for 90 days (can be modified by probation officer for treatment/work purposes)</li> </ol>
Special Condition (1): Failure to attend	<ol style="list-style-type: none"> <li>1. Curfew from 8 am to 6 am until</li> </ol>

treatment evaluation or treatment session as scheduled	<p>evaluation completed</p> <ol style="list-style-type: none"> <li>2. Weekly reporting until evaluation complete</li> <li>3. Daily call in until evaluation completed</li> </ol>
Special Condition (8): Failure to complete community service hours as instructed	<ol style="list-style-type: none"> <li>1. Daily reporting until community hours completed if unemployed</li> <li>2. Weekly reporting until community hours completed if employed</li> <li>3. Jail work squad for 2 weekends</li> </ol>
Special Condition (9): Failure to remain at residence during curfew period	<ol style="list-style-type: none"> <li>1. Weekly reporting for 3 months</li> <li>2. Electronic Monitoring for 30 days</li> <li>3. Jail work squad for 2 weekends</li> </ol>
Community Control Condition (16): Failure to maintain approved schedule – unapproved absence from required location (negligence in getting home late, stopping at store on way home without permission)	<ol style="list-style-type: none"> <li>1. Electronic Monitoring for 30 days</li> <li>2. Jail work squad for 2 weekends</li> <li>3. 10 hours public service work</li> </ol>

\*Affidavit will be filed with this sanction to toll the supervision. Once the offender completes the supervision, the Affidavit will be dismissed.

**4. ALTERNATIVE SANCTIONS PROGRAM PROCESS**

A. The probation or community control officer shall inform offenders who have committed violations enumerated in section 3 that they may participate in the Alternative Sanctions Program for administrative disposition of the violation. No offender is required to participate in the Alternative Sanctions Program and may opt for a formal violation of probation or community control proceeding in Circuit Court.

B. If the offender admits the violation, agrees to accept the alternative sanction(s) recommended by the probation officer, and agrees to waive his/her formal violation hearing to modify his/her sentence, the probation officer will prepare an “Alternative Sanctions Program Technical Violation Notification”, which will provide details of the circumstances of the technical violation that occurred and the probation officer’s recommended sanctions, based on the sanctions listed in the approved matrix. If the offender agrees to participate in the Alternative Sanctions Program, he/she will sign the section of this form titled “Alternative Sanctions Program Waiver of Formal VOP/VOCC Hearing, Admission of Violation, and Acceptance of Sanctions”, which will be submitted to the Court once the probation officer signs and dates the form.

C. The judge shall review the “Alternative Sanctions Program Technical Violation Notification” and waiver form submitted and, if the judge agrees that the technical violation should be addressed via the Alternative Sanctions Program and agrees with the recommended sanctions, the judge will sign the “Order – Alternative Sanctions Program”. If the judge does not agree with the particular sanction recommended by the officer or does not agree that the technical violation should be addressed via the Alternative Sanctions Program, the judge shall reflect further instructions on the order.

D. Upon court approval the probation officer will instruct the offender on the sanctions imposed by the court and instruct the offender to take actions necessary to ensure the sanction is executed immediately. Failure to complete the imposed sanction as instructed will result in a violation report, affidavit and warrant being submitted to the court citing the original condition that was violated.

5. **ADMINISTRATION.** The Alternative Sanctions Program shall be administered by the Citrus County Circuit Court and the Florida Department of Corrections.

6. **EFFECTIVE DATE.** This Order shall be effective immediately upon signing and shall apply to all pending and future cases before the Circuit Court in and for Citrus County.

**DONE AND ORDERED** in Chambers, Inverness, Citrus County, Florida, this 30  
day of Oct, 2013.

  
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**PATRICIA V. THOMAS**  
**Administrative Judge**  
**Citrus County, Fifth Judicial Circuit**

Copies furnished to:  
Office of State Attorney  
Office of the Public Defender  
Department of Corrections