

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

ADMINISTRATIVE ORDER NO.: C-2025-44

IN RE:

**ELECTRONIC MONITORING OF
DEFENDANTS AS A CONDITION
OF PRE-TRIAL RELEASE**

WHEREAS, most criminal defendants are entitled to be released from custody pending disposition of the charges for which they were arrested; and

WHEREAS, the Citrus County Board of County Commissioners, through partnership with the Citrus County Sheriff's Office, under the Florida Rule of Criminal Procedure 3.131(b)(1)(D), have the capability of electronically monitoring defendants who are released from custody by non-intrusive means through a GPS monitoring program; and

WHEREAS, GPS electronic monitoring can provide timely information to law enforcement regarding the activities of a defendant related to compliance with conditions of release, including abstinence from criminal activity and excluded zones of travel with certain proximities to locations of the alleged victim; and

WHEREAS, the Citrus County Sheriff's Office has requested authority to require defendants who meet specified criteria, when court ordered by a judge, to be electronically monitored as a condition of pretrial release, in addition to reasonable or reduced bond, but not in lieu of bond, without compliance with the investigation and recommendation required by F.S. 907.041(3)(b); and

WHEREAS, F.S. 903.046 and Florida Rule of Criminal Procedure 3.131(b) permit the imposition of reasonable conditions of pretrial release that will protect the community from risk of physical harm to persons, assure the presence of the accused at trial or assure the integrity of the judicial process; and

WHEREAS, the use of electronic monitoring devices has proven to modify the behavior of certain defendants via a non-intrusive method of monitoring such individuals, while simultaneously affording additional protection to the community and ensuring a monitored individual's appearance in court; and

WHEREAS, the Citrus County Board of Commissioners, through partnership with the Citrus County Sheriff's Office have implemented such a program;

Now therefore, after due consideration,

IT IS ORDERED:

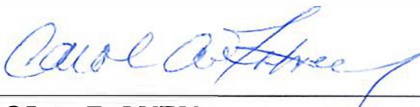
The following procedures and criteria shall be followed when defendants are released from custody by the Court upon the condition that they submit to electronic monitoring under the GPS Monitoring Program or other monitoring program and more specifically, shall be followed when defendants are released from custody by the Court upon the condition that they submit to the electronic monitoring under the GPS Monitoring Program approved by the Citrus County Sheriff's Office, which is the agency that implements the program:

1. The defendant must have a residence. The residence must have an operational telephone if the electronic monitor requires a telephone (landline or cellular).
2. The defendant must be a resident of Citrus County, FL, or live or have made arrangements to live in the contiguous counties of Hernando, Levy, Marion, or Sumter Counties upon court approval. Judges maintain discretion to place defendants living out of the specified area on the GPS Monitoring Program for specialized circumstances after consultation with the Citrus County Sheriff's Office and upon verification that the GPS Monitoring Program can effectively cover the defendant's provided residence.
3. The defendant is not to leave the state of Florida while under the conditions of the GPS Monitoring Program. If the defendant wants to leave the state of Florida (e.g. funeral or a court related matter), they must notify the Court and receive proper authorization prior to travel.
4. Defendants who have a serious medical condition that requires frequent care, or who are identified as psychotic, intellectually disabled, currently suicidal, mentally incapable, or unable to cope with the structure of electronic monitoring, shall not be placed on an electronic monitor. Any defendant that the Citrus County Sheriff's Office determines is not mentally or physically capable of coping with the structure of electronic monitoring, a member of the Sheriff's Office shall notify the Court immediately. The defendant shall not be released until a further determination is made by the Court as to the defendant's release conditions. The notifying member of the Sheriff's Office will make themselves available to provide testimony as to the defendant's lack of capabilities, if necessary. The defendant will not be placed back on GPS if the defendant tampers with the GPS equipment or in any way causes of the GPS equipment to not function properly as intended by the Court.
5. Defendants who have a condition of release to participate in the GPS Monitoring Program shall be responsible for any damage or loss to the equipment issued and shall pay a per diem cost to the Citrus County Clerk of Court.
6. The Citrus County Clerk of Court shall be responsible for the collection of any fees related to the GPS Monitoring Program. In the event of non-payment for electronic monitoring services, the Citrus County Clerk of Court shall notify the Court of the defendant's non-indigent status and recommend review by the Court.
7. Defendants may be placed upon the GPS Monitoring Program, at the Court's discretion, as a condition of pretrial release only after considering the availability of electronic monitoring equipment and the risk the defendant presents to the victim or the community. The Citrus County

Sheriff's Office maintains a limited number of GPS units and may request additional units from the vendor when needed. If the Court orders a defendant to the GPS Monitoring Program and a unit is unavailable, they will be provided a unit once one becomes available.

8. Any defendant who breaches a condition of release while on electronic monitoring in a domestic violence case shall be taken into custody by any law enforcement officer upon probable cause and held until first appearance as provided by F. S. 901.15(13), F.S. 903.0471. Any defendant who commits a violation of F.S. 843.23 by intentionally removing, destroying, altering, tampering with, damaging, or circumventing the operation of an electronic monitoring device that must be worn or used by that person pursuant to a Court order shall be taken into custody by any law enforcement officer and brought before the Court for first appearance. In the event of a violation that occurs out of county, that results in an out-of-county arrest of the defendant for a new-law violation, the Citrus County defendant's bond shall be revoked automatically, and the defendant shall be held at no bond on the underlying case, until such time as he/she can be transported to Citrus County, and appear before a first appearance judge to determine if said violation is willful. In the event of a suspected breach of any other condition of electronic monitoring, the Citrus County Sheriff's Office shall notify the Court and State Attorney's Office in writing so that the violation may be brought before the Court for review. Defendants shall have been informed in their court minutes/order placing them on the GPS Monitoring Program that violations include, but not be limited to:
 - a. Equipment tampers or removals.
 - b. Willful exclusion zone violations.
 - c. Failure to comply with any conditions of release set by the Court.
 - d. Failure to comply with any of the program requirements set forth by the GPS Monitoring Program.
 - e. The defendant must refrain from criminal conduct of any kind.
 - f. The defendant must not have unauthorized contact with any victims or co-defendants.
 - g. All information provided to the Court, the Sheriff, and any supervising agency must be truthful.
 - h. Payment of per diem costs to the Citrus County Clerk of the Court.
9. This order supersedes and repeals all prior Administrative Orders on this subject of pre-trial release electronic monitoring.

DONE and ORDERED in Chambers, Inverness, Citrus County, Florida, this 22nd day of Aug., 2025.



CAROL A. FALVEY
ADMINISTRATIVE JUDGE