



## Pretrial Release Programs' Compliance With New Reporting Requirements Is Mixed

### *at a glance*

Pretrial release is an alternative to incarceration that allows arrested defendants to be released from jail while they await disposition of their criminal charges. Florida has 28 pretrial release programs, which are primarily locally funded. These programs supervise defendants charged with a wide range of crimes.

Most pretrial release programs have complied with requirements to provide annual reports and maintain weekly registers of information on the defendants in their programs. However, many programs' annual reports do not contain outcome data as required by statute. Further, the programs that have reported this data used different methods to compute those outcomes. As a result, statewide data are not available to compare outcomes across programs or to compare defendants in these programs to those released on bond or on their own recognizance.

Most programs report using best practices suggested by literature to help ensure that defendants appear in court and are not rearrested.

The Legislature could consider streamlining some reporting requirements to improve clarity and reduce administrative burdens on pretrial release programs.

### Scope

Section 907.044, *Florida Statutes*, directs OPPAGA to annually evaluate Florida's pretrial release programs. This report assesses the programs' compliance with statutory reporting requirements

and the current status of issues identified in our initial report, published in December 2008.<sup>1</sup>

This report answers five questions.

- How are Florida's pretrial release programs funded?
- What is the nature of criminal charges of defendants in pretrial release programs?
- How many defendants served by pretrial release programs missed court appearances, were rearrested, or had warrants issued for their arrest?
- Are pretrial release programs complying with reporting requirements of s. 907.043, *Florida Statutes*?
- Have pretrial release programs implemented best practices to help ensure that defendants appear in court and are not rearrested?

### Background

Pretrial release is an alternative to incarceration that allows arrested defendants to be released from jail while they await disposition of their criminal charges. Pretrial release is a constitutional right for most people arrested for a crime.<sup>2</sup> Generally, pretrial release can be granted in one of three ways.

<sup>1</sup> *Pretrial Release Programs Vary Across the State; New Reporting Requirements Pose Challenges*, [OPPAGA Report No. 08-75](#), December 2008.

<sup>2</sup> Article I, Section 14, *Florida Constitution*, provides that unless

Release on recognizance allows defendants to be released from jail based on their promise to return for mandatory court appearances.<sup>3</sup> Defendants released on recognizance are not required to post a bond and are not supervised.

Posting bond is a monetary requirement to ensure that defendants appear in court when required. A defendant whom the court approves for this release must post a cash bond to the court or arrange for a surety bond through a private bondsman. Defendants typically pay a nonrefundable fee to the bondsman of 10% of the bond required by the court for release. If the defendant does not appear, the bondsman is responsible for paying the entire amount. Bondsmen are not required to supervise defendants but have a vested interest in ensuring that their clients keep their court dates and do not abscond.

Pretrial release programs actively supervise approved defendants. The programs do so through phone contacts, visits, and/or electronic monitoring until the defendants' cases are disposed or their supervision is revoked. Defendants may be selected for participation by the program or assigned to the program by a judge. Defendants generally are released into a pretrial release program without paying a bond; however, judges in some circuits may require them to post bond.

Florida has 28 pretrial release programs, which are primarily administered on a county basis by sheriffs, jails, or county government divisions.<sup>4</sup>

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charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, every person charged with a crime or violation of municipal or county ordinance shall be entitled to pretrial release on reasonable conditions. Further, s. 907.041, *F.S.*, states that it is the intent of the Legislature to create a presumption in favor of release on nonmonetary conditions for any person who is granted pretrial release unless such person is charged with a dangerous crime. Dangerous crimes are described in s. 907.041(4), *F.S.*, and include offenses such as arson, aggravated assault, aggravated battery, child abuse, abuse of an elderly person or disabled adult, kidnapping, homicide, manslaughter, sexual battery and other sex offenses, robbery, carjacking, stalking, and domestic violence.

<sup>3</sup> Some defendants also can be released at the time of arrest with a notice to appear in court.

<sup>4</sup> In 2008, there were 29 pretrial release programs, but Pasco County's pretrial release program ceased operation in 2009 due to budget cuts.

Section 907.043, *Florida Statutes*, requires these programs to provide a weekly register and an annual report on program outcomes and the characteristics of participants to the clerk of court. Appendix A describes the characteristics of the 24 pretrial release programs that complied with these requirements.

The law became effective July 1, 2008; therefore, the data in this report primarily reflects the time period of July 1 to December 31, 2008. Programs reported budget information for varying periods—some programs' budgets are based on the calendar year, while some are based on varying fiscal years. OPPAGA will analyze the programs' calendar year 2009 outcomes in a later report.

## Questions and Answers —

### *How are Florida's pretrial release programs funded?*

Most pretrial release programs (21 of the 26 programs that provided data) were funded solely by local funds.<sup>5</sup> As shown in Appendix A, the amount of funds provided by local governments to the programs ranged from \$65,000 in Bay County to \$5.2 million in Broward County. However, two programs reported receiving state funds—Escambia reported receiving \$95,280 and Okaloosa County reported receiving \$46,181 in state funding.

Some programs are also funded through fees charged to participating defendants.<sup>6</sup> Programs most commonly charged fees for electronic monitoring. A few counties charge monthly supervision fees to defendants. For example, the Leon County and Palm Beach County programs charged \$40 per month.

The programs' budgets varied due to differences in their caseloads and responsibilities. For example, the Miami-Dade County pretrial release

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<sup>5</sup> Twenty-four programs submitted annual reports. The four that did not submit reports were Citrus, Jackson, Monroe, and Polk. Twenty-four programs responded to our survey for additional information. The four that did not respond were Hillsborough, Jackson, Monroe, and Seminole.

<sup>6</sup> Some programs charge fees as directed by the courts. Other programs automatically charge fees unless waived by the courts.

program had a budget of \$4.8 million in 2008. During that year, its employees conducted 15,480 interviews and attended all first appearance hearings to provide information to judges.<sup>7</sup> In contrast, the Highlands County pretrial release program had a budget of \$103,644 in 2008. Its employees interviewed and assessed 176 defendants and did not attend first appearance hearings.

### ***What is the nature of criminal charges of defendants in pretrial release programs?***

Most pretrial release programs restrict eligibility to defendants with less serious criminal charges. However, judges have broad discretion to place defendants in pretrial release programs, including those with more serious charges and criminal histories. Therefore, some defendants with violent offense histories or charges, such as aggravated assault and battery, have been placed into pretrial release programs. As a result, these programs serve defendants with varying levels of risk to public safety. For example, 37% of the defendants served by Collier County's program were charged with driving under the influence; 37% were charged with domestic violence; and 26% were charged with other crimes such as drugs, traffic, and fraud/theft.

In some jurisdictions, judges have the discretion to assign a bond and require supervision by pretrial release programs for an extra layer of accountability. For example, 26% of defendants in Orange County's program paid a bond, and 55% of defendants in Leon County's program paid a bond.

### ***How many defendants served by pretrial release programs missed court appearances, were rearrested, or had warrants issued for their arrest?***

When defendants are released from jail before their criminal cases have been resolved, they agree to abide by court requirements to attend all court proceedings and not commit new offenses that would result in their rearrest. Pretrial release

programs are required to report the name and case number of defendants granted nonsecured release who failed to attend a scheduled court appearance, were issued a warrant for failing to appear, or were arrested for any offense while in the program. These outcomes are important public safety indicators that can be used to analyze the effectiveness of pretrial release programs.

However, about half of the programs did not report data on these outcomes. Only 16 programs reported the number of defendants they served that failed to attend court hearings, the number that had arrest warrants issued for failing to appear in court, and the number that were arrested for other offenses while in the pretrial release program. Further, only 11 of those programs reported the number of defendants they served that were granted nonsecured release after the program recommended nonsecured release. Programs reported various reasons for not reporting these data, such as their information systems did not capture the information and that they did not have enough time and resources to collect and report the data. The programs' failure to report outcome data limited our ability to determine the statewide percentage of defendants served by the programs that violated the terms of their release.

Exhibit 1 shows the outcomes reported by the 16 programs that provided these data.<sup>8</sup> Although outcomes varied among programs, relatively few clients violated pretrial release conditions by failing to appear in court, being rearrested for additional crimes, or having warrants issued for their arrest. For example, in Volusia County, 5.6% of the 466 defendants granted nonsecured release after the program recommended nonsecured release failed to attend a scheduled court hearing, compared to 1% of the 84 defendants granted nonsecured release in Charlotte County.

See Appendix A for the available data on each of the 28 pretrial release programs.

<sup>7</sup> The program seeks to interview all defendants charged with a felony offense before their first appearance court hearings.

<sup>8</sup> Programs may have served more defendants than the number listed in Exhibit 1; for example, judges may place defendants in the programs without a recommendation, and defendants in the program may have paid a bond as a condition of release (secured release).

**Exhibit 1  
Relatively Few Defendants Served by Pretrial Release Programs Violated Program Requirements in 2008, Although Data Are Incomplete**

County	Defendants			
	Granted Nonsecured Release After Program Recommended Nonsecured Release <sup>1</sup>	Granted Nonsecured Release Who Failed to Attend a Scheduled Court Appearance	Granted Nonsecured Release Who Were Issued a Warrant for Failing to Appear in Court	Granted Nonsecured Release Who Were Arrested for Any Offense While in the Program
Alachua	133	14	14	10
Brevard	1,674	107	107	132
Broward	1,269	211	185	354
Charlotte	84	1	1	5
Duval	N/A	3	3	1
Escambia	N/A	50	50	25
Hillsborough	115	10	10	23
Lee	924	54	54	59
Leon	348	28	27	13
Miami-Dade	6,213	983	983	71
Okaloosa	271	20	20	17
Osceola	N/A	86	86	36
Palm Beach	5,247	147	147	397
Pinellas	DNR <sup>2</sup>	85	85	126
Santa Rosa	199	4	4	125
Sarasota	N/A	73	73	61
St. Lucie	N/A	0	0	0
Volusia	466	26	26	60

<sup>1</sup> N/A denotes that the program does make recommendations either regarding whether defendants should participate in the program or whether their release should be secured or unsecured. It should be noted that some programs may have served more defendants than listed in the table, as judges may place defendants in the programs without a program recommendation, and some defendants in the program may have paid a bond as a condition of release and thus be classified as secured releases.

<sup>2</sup> DNR denotes that the program did not report that information.

Source: Programs’ annual reports and survey responses.

These reported outcomes should be interpreted with caution due to the large number of programs that failed to report data and differences among the programs in how they classified failure to appear rates. Also, these outcomes only reflect defendants who were granted nonsecured release and not all defendants who participated in the programs. Further, some programs counted any missed court appearance as a failure to appear while others did not count a missed court appearance as a failure to appear until the court issued a bench warrant for that failure to appear. Some programs computed failure to appear rates as the total number of scheduled court appearances divided by the total number of missed court appearances while others computed

this rate by dividing the total number of defendants by the number who missed at least one court appearance.

The data necessary to compare the outcomes of defendants in pretrial release programs to those released on bond or on their own recognizance is not collected statewide. However, Miami-Dade County does track failure to appear rates for the three release methods. As shown in Exhibit 2, these rates generally were comparable for the different release methods with defendants served by the pretrial release program being slightly more likely to fail to appear than those released on bond or released on their own recognizance and related mechanisms.

**Exhibit 2**  
**Miami-Dade County’s Failure to Appear Rates Were Slightly Higher for Defendants Released Through the Pretrial Release Program Than Those Released on Bond in 2008**

Release Type	Court Appearances	Percentage by All Release Types	Failure to Appear	Percentage Failure to Appear
Pretrial release program	39,583	16.2%	2,106	5.3%
Surety bond	185,003	75.8%	7,954	4.3%
Cash bond	4,345	1.8%	216	5.0%
Release on recognizance <sup>1</sup>	15,008	6.2%	329	2.2%
<b>Total</b>	<b>243,939</b>	<b>100%</b>	<b>10,605</b>	<b>4.3%</b>

<sup>1</sup> Includes defendants who were arrested but not incarcerated, such as defendants with notices to appear.

Source: OPPAGA analysis of the Miami-Dade Corrections and Rehabilitation Department’s 2008 Failure to Appear Statistical Report.

***Are pretrial release programs complying with the reporting requirements of s. 907.043, Florida Statutes?***

Most (24) of Florida’s 28 pretrial release programs submitted an annual report and maintain a weekly register of program data and outcomes and defendant information as required by s. 907.043, *Florida Statutes*. Most (24) also responded to our survey that requested additional information about their services.<sup>9</sup> However, half of Florida’s programs did not report all of the outcomes in their annual reports and weekly registers as required by statute. For example, 12 programs did not report defendants’ prior convictions, typically because their data systems did not capture this information.<sup>10</sup> Also, as previously noted, programs used different methods to compute their failure to appear rates,

<sup>9</sup> Of the programs that did not provide either annual reports or surveys, some stated that they would submit the documents but had not done so by the completion of this report. Other programs indicated that they did not do so for varying reasons, including not being aware of the reporting requirements, delays in compiling the required data, limited time and resources to respond, and an inability to provide information until their information system can capture the data.

<sup>10</sup> There are no statutory penalties for programs that fail to meet reporting requirements.

which hinders the state’s ability to compare outcomes across the programs.

The Legislature could revise reporting requirements to improve data consistency and reduce reporting costs. For example, the Legislature could require programs to report data on a monthly rather than weekly basis, which would be less burdensome, but still enable the state to evaluate outcomes and identify program trends. Further, to ensure that programs report comparable and consistent data, the Legislature could require programs to report outcomes by the type of release (i.e., secured and nonsecured). Current requirements only require programs to report failure to appear, arrest, and warrant data for defendants granted nonsecured release. This data does not allow comprehensive analysis of program effectiveness. Appendix B outlines our specific recommendations for revising program reporting requirements.

***Have pretrial release programs implemented best practices to help ensure that defendants appear in court and are not rearrested?***

Our December 2008 report identified five nationally recognized best practices for supervising defendants and reporting information to the courts.<sup>11</sup> Our survey of Florida’s pretrial release programs found that most are following these best practices.<sup>12</sup>

Best Practice: Programs should provide information to the court regarding the risk of the defendant. It is important for pretrial release programs to present information to judges relating to the assessed risk that a defendant may fail to appear in court or commit another crime, and develop feasible release recommendations relative to that risk. This information increases the likelihood that those who pose a low risk will be properly and timely released, and those who pose a high risk of failing to appear or reoffending

<sup>11</sup> These best practices were identified by the American Bar Association and the National Association of Pretrial Services Agencies.

<sup>12</sup> We surveyed all 28 pretrial release programs and received responses from 24 of them. All 29 pretrial release programs that were in operation in 2008 responded to the survey used in our prior report.

will be detained or required to pay an appropriate bond.

The 24 programs that responded to our survey indicated that they take actions consistent with this best practice. All programs interview defendants and collect information to assist the judge in making a release determination. Eighteen programs reported that they always have a representative present at first appearance hearings. However, only 14 of the 24 programs reported that they make recommendations to judges regarding which defendants should be allowed to participate in the program; the other 10 programs provide information to judges, but do not make recommendations or do so only when requested.

Best Practice: Programs should effectively supervise defendants. It is also important that pretrial release programs provide appropriate and effective supervision of persons assigned to their programs. This supervision is a key tool to ensure that defendants are held accountable for their behavior while awaiting trial.

Twenty-three of the 24 responding programs reported that they require defendants to report in person or by telephone on a regular basis. Most also use additional methods to monitor defendants as ordered by the court. For example, 20 programs reported they conduct drug and alcohol testing, and 16 reported they electronically monitor defendants to track their whereabouts.

Best Practice: Programs should remind defendants of their court dates. To reduce the likelihood of defendants failing to appear in court, it is important that pretrial release programs remind defendants of their court dates. According to the literature, many defendants simply forget to show up to court or are confused about their court date.

Twenty-three of the 24 programs responding to our survey reported that they review court dates with defendants following their initial court appearance or during regular supervision contacts.

Best Practice: Programs should inform the court of violations. Programs should promptly inform

the court when defendants violate pretrial release conditions or are arrested, and should recommend appropriate and feasible modifications of release conditions. Informing the court when a defendant violates release conditions helps ensure public safety and maintains the integrity of the pretrial release process.

All 24 programs that responded to our survey reported that they take some form of action when defendants fail to comply with release conditions. Most programs stated that they report violations to the court with a request for the court to take action. Three programs also reported that they arrest defendants who violate release conditions.

Best Practice: Programs should establish and report performance measures that directly relate to program effectiveness. The primary purpose of pretrial release programs is to ensure that defendants make their court appearances and remain crime-free while under their supervision. Accordingly, it is important that programs collect and report measures, such as failure to appear and rearrest rates, to enable stakeholders to assess how effective the programs are fulfilling that purpose.

Section 907.043, *Florida Statutes*, requires all programs to collect data on failures to appear and rearrests. Twenty-four of the 28 programs published annual reports that contained program outputs and outcomes.

## Recommendations

To streamline program reporting and thereby maximize the resources available to screen and supervise defendants, we recommend that the Legislature consider amending s. 907.043, *Florida Statutes*, to clarify program reporting requirements. Specifically, we recommend that the Legislature

- require programs to report data on a monthly instead of weekly basis;
- clarify requirements to assist in the consistent interpretation and application of the law; and

- modify or eliminate reporting requirements that do not directly relate to program effectiveness or cost-efficiency.

Appendix B lists specific suggested revisions to those requirements.

## Agency Comments —————

In accordance with the provisions of s. 11.51(5), *Florida Statutes*, a draft of our report was submitted to the pretrial release programs and to the Office of State Courts Administrator to review. While the programs were not required to respond to the report, several provided comments and feedback, which were considered in the final version of the report.

## *Appendix A*

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# Twenty-Four of Florida's 28 Pretrial Release Programs Published Annual Reports as Required by Law

Section 907.043, *Florida Statutes*, requires pretrial release programs to maintain and update a weekly register containing information about the defendants released to the program. The law also provides that, no later than March 31 of each year, each program must submit an annual report to the governing body and to the clerk of court in the county where the program is located. Table 1-A describes which programs complied with the annual reporting requirements.

This information should be interpreted and compared with caution because it does not reflect all of the programs' activities, outcomes, and costs. For example, St. Lucie County's program has a budget of \$1.1 million; the data indicates that it only interviewed and assessed 18 defendants because it primarily receives cases by court order from judges at first appearance or bond hearings. Also, some budgets include other activities and costs, such as Broward County's program, whose budget includes electronic monitoring activities. Further, outcomes only reflect defendants who were granted nonsecured release as required by law, but do not reflect all defendants who participated in the programs.

The law became effective July 1, 2008; therefore, the data and budget information in this report primarily reflects the time period of July 1 to December 31, 2008. In addition, some programs reported budget information for varying periods—some programs' budgets are based on the calendar year, while some are based on varying fiscal years. OPPAGA will analyze the program's calendar year 2009 outcomes in a later report.

Twenty-four pretrial release programs submitted annual reports. The four that did not were Citrus, Jackson, Monroe, and Polk. Twenty-four programs responded to our survey for additional information. The four that did not were Hillsborough, Jackson, Monroe, and Seminole. We followed up with several phone calls and emails to program managers in these counties.



**Table A-1**  
**Pretrial Release Programs' Annual Report Requirements**

	County	Budget	Defendants						
			Assessed and Interviewed for Pretrial Release	Recommended for Pretrial Release	Granted Nonsecured Release After the Pretrial Release Program Recommended Nonsecured Release	Assessed and Interviewed for Pretrial Release Who Were Declared Indigent by the Court	Granted Nonsecured Release Who Failed to Attend a Scheduled Court Appearance	Granted Nonsecured Release Who Were Issued a Warrant for Failing to Appear in Court	Granted Nonsecured Release Who Were Arrested for Any Offense While in the Program
1	Alachua	\$893,149	4,787	189	133	4,251	14	14	10
2	Bay	\$65,000	DNR <sup>1</sup>	DNR <sup>1</sup>	637	216	2	41	DNR <sup>1</sup>
3	Brevard	\$800,635	12,145	1,662	1,674	555	107	107	132
4	Broward	\$5,200,000	19,543	2,070	1,269	DNR <sup>1</sup>	211	185	354
5	Charlotte	\$394,986	2,900	96	84	1,714	1	1	5
6	Citrus	\$77,296	No annual report						
7	Collier	\$85,000	DNR <sup>3</sup>	DNR <sup>3</sup>	DNR <sup>3</sup>	DNR <sup>3</sup>	DNR <sup>3</sup>	DNR <sup>3</sup>	DNR <sup>3</sup>
8	Duval	\$557,262	983	748	N/A <sup>2</sup>	825	3	3	1
9	Escambia	\$595,063	8,375	1,012	N/A <sup>2</sup>	6,907	50	50	25
10	Highlands	\$103,644	176	128	DNR <sup>1</sup>	107	6	DNR <sup>1</sup>	2
11	Hillsborough	DNR <sup>1</sup>	2,085	262	115	N/A <sup>2</sup>	10	10	23
12	Jackson	No annual report							
13	Lee	\$1,835,181	22,337	3,105	924	14,633	54	54	59
14	Leon	\$326,972	2,689	N/A <sup>2</sup>	348	N/A <sup>2</sup>	28	27	13
15	Manatee	\$423,922	2,700	1,505	DNR <sup>1</sup>	DNR <sup>1</sup>	26	DNR <sup>1</sup>	33
16	Miami-Dade	\$4,826,119	15,480	4,752	6,213	5,658	983	983	71
17	Monroe	No annual report							
18	Okaloosa	\$360,358	531	522	271	DNR <sup>1</sup>	20	20	17
19	Orange	\$1,590,824	4,563	N/A <sup>2</sup>	N/A <sup>2</sup>	DNR <sup>1</sup>	DNR <sup>1</sup>	DNR <sup>1</sup>	DNR <sup>1</sup>
20	Osceola	\$560,393	5,608	N/A <sup>2</sup>	N/A <sup>2</sup>	N/A <sup>2</sup>	86	86	36
21	Palm Beach	\$1,500,676	23,334	N/A <sup>2</sup>	5,247	17,662	147	147	397
22	Pinellas	\$1,406,105	3,380	2,169	DNR <sup>1</sup>	650	85	85	126
23	Polk	\$960,000	No annual report						
24	Santa Rosa	\$90,319	1,230	295	199	188	4	4	125
25	Sarasota	\$1,406,259	5,475	N/A <sup>2</sup>	N/A <sup>2</sup>	2,122	73	73	61
26	Seminole	N/A <sup>2</sup>	N/A <sup>2</sup>	N/A <sup>2</sup>	6	5	0	0	DNR <sup>1</sup>
27	St. Lucie	\$1,146,978	18 <sup>4</sup>	N/A <sup>2</sup>	N/A <sup>2</sup>	14	0	0	0
28	Volusia	\$1,376,322	2,072	666	466	2,007	26	26	60

<sup>1</sup> DNR denotes that the program 'did not report' that information. Programs reported various reasons for not reporting information, typically because their data systems did not capture the required information or they lacked the time and resources necessary to compile the information.

<sup>2</sup> N/A denotes that the program reported that the requirement does not apply. For example, several pretrial release programs reported that they do not make recommendations.

<sup>3</sup> Collier County's program did not report the information in its annual report as required by law. However, the annual report included information such as percentage of releases by offense categories, total number of participants and court appearances, and trends.

<sup>4</sup> St. Lucie County's program generally does not interview and assess defendants, but primarily receives its cases by court order from judges at first appearance or bond hearings.

Source: Programs' annual reports.

## Appendix B

# Suggested Revisions to Reporting Requirements

The Legislature could consider modifying the reporting requirements specified by s. 907.043, *Florida Statutes*, to clarify terms, streamline reporting to focus on key indicators of program activity and outcomes, and reduce program costs.

The table below contains recommended changes to statutory reporting requirements based on input from local programs and national measures for pretrial release programs.

### Recommended Pretrial Release Program Reporting Requirements

Weekly Register Reporting Requirement
Name, location, and funding source of the pretrial release program
Number of defendants assessed and/or interviewed for pretrial release
Number of indigent defendants assessed and/or interviewed for pretrial release
Names and number of defendants accepted into the pretrial release program
Names and number of indigent defendants accepted into the pretrial release program
<u>Specific c-Charges filed against and the case numbers of defendants accepted into the pretrial release program</u>
<u>The type of release (secured/nonsecured) for each defendant accepted into the pretrial release program</u>
<u>Nature of any The number of prior criminal convictions by felony/misdemeanor and the most serious prior criminal conviction(s) of a defendant accepted into the pretrial release program</u>
<u>The total number of cCourt appearances required of defendants accepted into the pretrial release program and the total number of failures to appear for each defendant</u>
<u>Date of each defendant's failure to appear for a scheduled court appearance</u>
<u>Number of warrants, if any, which have been issued for a defendant's arrest for failing to appear at a scheduled-required court appearance</u>
<u>Number and type of program noncompliance infractions committed by a defendant in the pretrial release program and whether the pretrial release program recommended that the court revoke the defendant's release</u>
Annual Report Reporting Requirement
Name, location, and funding sources of the pretrial release program, including the amount of public funds, if any, received by the pretrial release program
<u>Operating and capital budget of each pretrial release program and percentage of budget supported by local, state, and federal funds receiving public funds</u>
<u>Percentage of the pretrial release program's total budget representing receipt of public funds</u>
<u>Percentage of the total budget which is allocated to assisting defendants obtain release through a nonpublicly funded program</u>
<u>Fee structure for Amount of fees paid by defendants to in the pretrial release program and amount collected from these fees</u>
Number of persons employed by the pretrial release program
Number of defendants assessed and/or interviewed for pretrial release
Number of defendants recommended for pretrial release
Number of defendants for whom the pretrial release program recommended against nonsecured release
Number of defendants granted nonsecured release after the pretrial release program recommended nonsecured release
Number of defendants assessed and/or interviewed for pretrial release who were declared indigent by the court
<u>Name and case number of each person defendants in the pretrial release program granted nonsecured release who failed to attend a scheduled required court appearance by secured/nonsecured release</u>
<u>Name and case number of each person defendants in the pretrial release program granted nonsecured release who was issued a warrant for failing to appear by secured/nonsecured release</u>
<u>Name and case number of each person defendants granted nonsecured release who was arrested for any offense while on-release through in the pretrial release program</u>
<u>Any additional information deemed necessary by the governing body to assess the performance and cost-efficiency of the pretrial release program</u>

Source: OPPAGA analysis of reporting requirements in s. 907.043, *F.S.*



# *The Florida Legislature*

## *Office of Program Policy Analysis and Government Accountability*



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