

**INSTRUCTIONAL ORDER**

August 2017

Immediately

**V.5:04**

Distribution: All Employees

Subject: **DISPOSITION OF FELONY ARRESTS**

Index as:	Bond Adjustment Bonds Felony Arrests	Setting Bonds Release on Own Recognizance (ROR) ROR
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Accreditation Standards: 1.2.5, 1.2.6  
 Cross Reference: Circuit Court Administrative Order, 2010-041 PI-CIR  
 Replaces: Instructional Order V.5:4, Setting Bonds and Release on Own Recognizance (ROR)  
 (November 27, 1995)

This Order explains the process by which officers may seek release on own recognizance (ROR) status or bond adjustments for persons arrested on felony charges. The Order consists of the following sections:

- I. Authority
- II. Request to Release on Own Recognizance (ROR)
- III. Bond Adjustments
- IV. Adjustment Considerations
- V. Responsibility of Arresting Officer
- VI. Exceptional Circumstances

**I. AUTHORITY**

This Order is based upon the most recently issued Circuit Court Administrative Orders, which regulate release procedures for felony arrests. Any revision, addition or deletion to those administrative orders will be considered part of this Order.

**II. REQUEST TO RELEASE ON OWN RECOGNIZANCE (ROR)**

- A. ROR of a person in custody for a felony charge requires approval from the court.
- B. An Officer wishing to ROR a felony prisoner must first obtain supervisory permission.
- C. If the person was arrested on probable cause without a warrant, the Officer will contact a Criminal Division Circuit Court Judge, by telephone, for permission to ROR the prisoner. Current telephone numbers are maintained at the Pinellas County Sheriff's Office (PCSO) booking office.
- D. If ROR is granted, the Officer will place the judge's name on the advisory form as approving the release.
- E. ROR for persons arrested on a warrant, must be authorized by:
  - 1. The Chief Judge, or;
  - 2. The Pinellas County Criminal Court Administrator or;

3. The Issuing Judge, or;
4. The Judge presiding over the division where the case has been assigned for trial.

### III. BOND ADJUSTMENTS

A. Bonds for felony arrests based on probable cause are set by the use of a bond schedule issued by administrative order of the Court or, as determined by a judge if the arrest is pursuant to a warrant.

B. An Officer may request a review of the bond amount in the interests of justice, depending on either aggravating or mitigating circumstances.

C. Circumstance which may affect the setting of bond should be brought to the attention of the PCSO Booking Officer.

### IV. ADJUSTMENT CONSIDERATIONS

A. The arresting Officer and Supervisor should consider the following criteria used by the court when seeking ROR or a bond adjustment:

1. The number of offenses the subject is charged with at the time of booking.
2. The subject's ability to provide a local address, or verifiable permanent place of residence in the Tampa Bay Area.
3. The subject's employment status.
4. Previous criminal convictions or the subject is on probation or parole;
5. The subject has outstanding holds or warrants from any jurisdiction.
6. There has been serious injury to the alleged victim and there is reason to believe further harm might come to an alleged victim if the subject is released.
7. The subject makes any statement indicating they would not return to court when summoned.
8. Information that the subject has previously failed to appear for court when summoned.
9. The subject makes threats against police officers, victims, witnesses, judges, etc.

### V. RESPONSIBILITY OF ARRESTING OFFICER

A. The arresting Officer shall properly complete the booking advisory, noting the name of the judge setting bond or granting ROR in the narrative.

B. The arresting Officer will specifically ask the defendant for their current address and confirm its existence. Residence should not be determined solely on presented identification documents.

### VI. EXCEPTIONAL CIRCUMSTANCES

Circumstances may arise when the situation is not within the scope of this Order. In such cases, the arresting Officer, in consultation with their Supervisor, will seek guidance from the State Attorney's office.

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Anthony Holloway  
Chief of Police