

**ADMINISTRATIVE ORDER GOVERNING GLOBAL POSITIONING SYSTEM AND
CONTINUOUS TRANSDERMAL ALCOHOL MEASURING DEVICE
TECHNOLOGY VENDORS IN THE NINTH JUDICIAL CIRCUIT, CRIMINAL CASES**

WHEREAS, pursuant to Article V, Section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, Global Positioning System (GPS) and Continuous Transdermal Alcohol Measuring Device technology has proven to accurately monitor the location of Defendants, thereby ensuring the safety of the public; and

WHEREAS, GPS and Continuous Transdermal Alcohol Measuring Device technology is being used with increasing frequency as an alternative to incarceration due to the benefits realized, including but not limited to: a reduction in jail population, increased likelihood of the Defendant's appearance for trial, and positive economic benefits; and

WHEREAS, there is a need for uniform guidelines for vendors providing such technology used in the Ninth Judicial Circuit;

NOW, THEREFORE, I, Belvin Perry, Jr., pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, order the following, effective immediately and to continue until further order:

1. The functioning GPS/Continuous Transdermal Alcohol Measuring Device must be placed on the Defendant while the Defendant is still located at the Orange County Jail, or the

vendor must transport the Defendant to the vendor's office and place the functioning GPS/Continuous Transdermal Alcohol Measuring Device upon the Defendant within one (1) hour of the Defendant's release from the Orange County Jail.

2. The GPS device must be monitored twenty-four (24) hours a day throughout the United States. The Continuous Transdermal Alcohol Measuring Device must be uploaded once every twenty-four (24) hours for review.

3. The GPS system must be capable of having inclusion and exclusion zones, a violation of which must be reported to the Judge assigned to the case within one (1) business day following the violation. A violation of the Continuous Transdermal Alcohol Measuring Device system must be reported to the Judge assigned to the case within one (1) business day.

4. The vendor must be willing to have the GPS device programmed and monitored such that a victim shall be contacted within five (5) minutes of the Defendant violating an exclusion or inclusion zone established for the protection of a victim.

5. The GPS device must accurately track the Defendant to within fifty (50) feet of his or her actual location.

6. The vendor must have an adequate supply of equipment such that no Defendant is ever required to wait for a device to become available and the vendor must be available to place the device on the Defendant seven (7) days a week.

7. Any Defendant ordered to wear the GPS/Continuous Transdermal Alcohol Measuring Device shall pay all costs associate with the wearing of the device and shall continuously wear the device until released by court order.

8. Tampering with the GPS/Continuous Transdermal Alcohol Measuring Device, removing the device, or allowing the battery in the device to become exhausted shall be

considered a violation which must be reported to the Judge assigned to the case within one (1) business day following the violation.

DONE AND ORDERED at Orlando, Florida, this 31st day of December, 2008.

_____/s/_____
Belvin Perry, Jr.
Chief Judge

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