

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order No. 2017-59-Crim

**ADMINISTRATIVE ORDER ESTABLISHING PROCEDURES FOR THE
RELEASE OF CERTAIN INMATES UPON THE ISSUANCE OF A
HURRICANE WATCH/WARNING OR OTHER NATURAL DISASTER**

(a) Pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the Chief Judge is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

(b) Florida Rule of Judicial Administration 2.215 (b) (3) states the Chief Judge shall “develop an administrative plan” and “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(c) The Broward County Board of County Commissioners have designated the Sheriff of Broward County, Florida as the Chief Correctional Officer for Broward County, pursuant to section 951.061, Florida Statutes, and Section 18-01 of the Broward County Code of Ordinances.

(d) As a result of the Seventeenth Judicial Circuit’s location and susceptibility to sustaining hurricanes and other natural disasters, it is necessary to establish emergency procedures to permit the release of certain inmates from the custody of the Broward Sheriff’s Office Department of Detention before or after a natural disaster strikes.

(e) In accordance with the authority vested in the Chief Judge pursuant to Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

(1) When a hurricane watch or warning is issued by the National Weather Service, or any other natural disaster has happened or is imminent to occur in Broward County, Florida, such as a hurricane, flood, tornado, or other catastrophic event, the Broward Sheriff, or his designee, acting as Chief Correctional Officer, is hereby authorized to release, at his discretion and after consultation with the Chief Judge, any inmate sentenced to the custody of the Sheriff who has no more than thirty (30)

days remaining on his/her sentence, excepting those inmates under mandatory sentence.

(2) Further in his discretion during such an emergency, the Sheriff, or his designee, acting as the Chief Correctional Officer may, after consultation with the Chief Judge, release any other person in the custody of the Sheriff who does not pose a threat to the safety of the citizens of Broward County, Florida.

(3) This Administrative Order shall be immediately effective and shall continue from year to year unless voided, modified, vacated, or otherwise suspended by subsequent order of the court.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 27th day of September, 2017.

/s/ Jack Tuter
Jack Tuter, Chief Judge