

BAIL SCHEDULE – FLAGLER, PUTNAM, ST. JOHNS & VOLUSIA COUNTIES

OFFENSES FOR WHICH NO BAIL IS TO BE GRANTED AND NO RELEASE PERMITTED BEFORE FIRST APPEARANCE:

- Capital felony
- Life felony
- First degree felony which may be punishable by life imprisonment
- Escape – F.S. 944.40
- Domestic Violence – any offense defined in F.S. 741.28(2)
- Aggravated Stalking – F.S. 784.048(3)
- Burglary committed during declared state of emergency – F.S. 810.02
- Violation of domestic or repeat violence injunction when the alleged violation involves violence or attempt to commit violent act or stalking
- Any felony, if the person arrested is on pre-trial release (including bail, ROR, etc.), pre-sentence release, or probation/community control, and is arrested on probable cause
- RICO Act violation – F.S. 895.03
- Offenses not otherwise mentioned below.

OFFENSE

BAIL

Drug Trafficking

Min. mandatory 25 years	\$500,000
Min. mandatory 15 years	\$150,000
Min. mandatory 7 years	\$ 50,000
Min. mandatory 3 years	\$ 25,000

1st degree Felony:

Non-Violent	\$15,000
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2nd degree Felony:

Non-Violent	\$ 5,000
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3rd degree Felony:

Non-Violent	\$ 2,500
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1st degree Misdemeanor

Non-Violent	NTA / \$500
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2nd degree Misdemeanor

NTA / \$500

- Any offense not involving physical harm or actual threat of physical harm to another person is a “non-violent” offense. Any offense involving physical harm to another person, or having as one of its elements assault or threat of violence, or involving the use or threatened use of a deadly weapon, is a “violent” offense. Burglary of a dwelling is considered a “violent” offense.

OFFENSE

BAIL

DUI

1 st offense	\$1,000*
If prior DUI <u>conviction(s)</u> within 5 years, or , with bodily injury	\$2,500*

*Release must also comply with F.S. 316.193(9)

Leaving scene of accident

Misdemeanor	NTA / \$500
Felony (injuries)	\$2,500
Felony (death)	\$5,000

Reckless Driving

No accident	NTA / \$500
Accident	NTA / \$1,000

Driving with suspended/revoked license

Driving with suspended/revoked license	NTA / \$500
1 prior conviction	NTA / \$1,000
2 or more prior convictions	\$2,000

Willful failure to comply with LEO/FD

NTA / \$500

Other criminal traffic violations (Ch. 320 & 322, F.S.)

NTA / \$200

Municipal ordinance violations

As suggested by municipality **or** NTA / \$200

- This bail schedule pertains to release of alleged offenders **prior to First Appearance**, when a judge has not previously established conditions of release (for example, in an arrest warrant). The First Appearance judge may increase or decrease/eliminate the amount of bail and set other conditions of release, pursuant to Rule 3.131(a), Fla.R.Crim.P., and other applicable rules and statutes.
- Rules 3.125(b) and (c) provide that arresting officers and booking officers may issue **notices to appear** in certain circumstances where the arrest is for a misdemeanor of the first or second degree. Such notices to appear may be issued in accordance with the rule when “NTA” appears on this schedule.
- § 903.046(2)(d), F.S. provides that a defendant who **failed to appear** shall not be eligible for release on recognizance, and shall be subject to a monetary undertaking of \$2,000 or twice the original bond, whichever is greater. However, this does not apply if the defendant proves circumstances beyond his/her control resulted in the failure to appear.