



DA PSA

**LET'S
CHAT...**

CHAT ABOUT WHAT, SHEILA?

- **BOND STATUTES**
- **DUI BONDS**
- **ROR BONDS**
- **PROTECTING OUR
ELDERLY/VULNERABLE
COMMUNITY**
- **CHILDREN & SOCIAL
MEDIA**



TCA § 40-11-118

(b) In determining the amount of bail necessary to reasonably assure the appearance of the defendant while at the same time protecting the safety of the public, the magistrate **SHALL** consider the following:

- (1) The defendant's length of residence in the community;
- (2) The defendant's employment status and history and financial condition; provided, that, the defendant's ability to pay shall not be considered;
- (3) The defendant's family ties and relationships;
- (4) The defendant's reputation, character and mental condition;
- (5) The defendant's prior criminal record, record of appearance at court proceedings, record of flight to avoid prosecution or failure to appear at court proceedings;
- (6) The nature of the offense and the apparent probability of conviction and the likely sentence;
- (7) The defendant's prior juvenile court record, as authorized by § 37-1-133(b)(1), and prior criminal record and the likelihood that because of the records the defendant will pose a risk of danger to the community;
- (8) The identity of responsible members of the community who will vouch for the defendant's reliability; however, no member of the community may vouch for more than two (2) defendants at any time while charges are still pending or a forfeiture is outstanding; and
- (9) Any other factors indicating the defendant's ties to the community or bearing on the risk of the defendant's willful failure to appear, including, but not limited to, whether the defendant is lawfully present in this state.

**PLEASE, FOR THE SAFETY OF
YOUR COMMUNITY.....**

**RUN CRIMINAL HISTORIES,
INCLUDING YOUR LOCAL COURT
SYSTEM*.**

***RECENT CHARGES OR CONVICTIONS**





(d)(1)(A) Unless the court determines that the requirement would not be in the best interest of justice and public safety, when the court is determining the amount and conditions of bail to be imposed upon a defendant who has been charged with driving under the influence of an intoxicant, under [§ 55-10-401](#), vehicular assault, under [§ 39-13-106](#), aggravated vehicular assault, under [§ 39-13-115](#), vehicular homicide, under [§ 39-13-213\(a\)\(2\)](#), or aggravated vehicular homicide, under [§ 39-13-218](#), and the alleged offense involved the use of alcohol, the court **SHALL** require the defendant to operate only a motor vehicle equipped with a functioning **ignition interlock device** if:

- (i) The offense resulted in a collision involving property damage;
- (ii) A minor was present in the vehicle at the time of the alleged offense;
- (iii) The defendant's driver license has previously been suspended for a violation of [§ 55-10-406](#); or
- (iv) The defendant has a **prior conviction** for:
 - (a) Reckless driving, under [§ 55-10-205](#);
 - (b) Reckless endangerment, under [§ 39-13-103](#);
 - (c) Driving under the influence of an intoxicant, under [§ 55-10-401](#);
 - (d) Vehicular assault, under [§ 39-13-106](#);
 - (e) Aggravated vehicular assault, under [§ 39-13-115](#);
 - (f) Vehicular homicide, under [§ 39-13-213\(a\)\(2\)](#); or
 - (g) Aggravated vehicular homicide, under [§ 39-13-218](#).

(2) If the defendant is charged with an offense listed in subdivision (d)(1) and has one (1) or more prior convictions for any of the listed offenses and is not subject to the requirements of subsection (f), then the court **SHALL** also consider the use of special conditions for the defendant, including the following:

(A) The use of transdermal monitoring devices or other alternative alcohol monitoring devices. If the court orders the use of a monitoring device on or after July 1, 2016, and determines the defendant is indigent, then the court shall order the portion of the costs of the device that the defendant is unable to pay be paid by the electronic monitoring indigency fund, established in [§ 55-10-419](#);

(B) The use of electronic monitoring with random alcohol or drug testing;
or

(C) Pretrial residency in an in-patient alcohol or drug rehabilitation center.

(e) After an inquiry pursuant to § 40-7-123 into the citizenship status of a defendant who is arrested for causing a traffic accident resulting in either the death or serious bodily injury, as defined in § 55-50-502, of another while driving without a valid driver license **and** evidence of financial responsibility as required by § 55-12-139, if it is determined that the defendant is not lawfully present in the United States, when determining the amount of bail, the defendant may be deemed a **risk of flight**.



TCA § 40-11-115 ROR Bonds

- FACTORS FOR AN ROR BOND OR UNSECURE BOND.
- PROVIDES THE MAGISTRATE THE ABILITY TO PUT CONDITIONS ON BOND
- RELIABLE HEARSAY EVIDENCE MAY BE CONSIDERED
- PROVIDES SEVERAL **SHALL NOT'S**

NO ROR BOND PER TCA § 40-11-115

1. CLASS A/B FELONY

2. AGGRAVATED ASSAULT

**3. AGGRAVATED ASSAULT AGAINST LEO OR FIRST
RESPONDER**

4. DOMESTIC ASSAULT

**^^^^ABOVE HAVE A PRESUMPTION THAT BOND
STARTS AT \$10,000**

5. STRANGULATION

**6. USE/DISPLAY OF FIREARM OR SERIOUS BODILY
INJURY**

**FINANCIAL
EXPLOITATION OF
ELDERLY/VULNERABLE
ADULTS**

TCA 39-15-502

PLEASE SHARE THIS INFORMATION!



- **FAMILY**
- **FRIENDS**
- **NEIGHBORS**
- **CHURCHES**
- **COWORKERS**
- **DON'T ASSUME!**

CHILDREN

AND

SOCIAL MEDIA

DO NOT MIX!!!!



CONTACT INFO:
SHEILA FREEZE, ADA
RUTHERFORD COUNTY
615-907-3661

SKFREEZE@TNDAGC.ORG