

Defendant's Name: _____ Offense: _____ Time of Arrest: _____

FINDINGS OF THE COMMITTING MAGISTRATE

Required under T.C.A. § 40-11-150 for any offender arrested for the offense of stalking, aggravated stalking, or especially aggravated stalking, or any offense defined in T.C.A. title 39, chapter 13 (i.e., any offense charged that starts with 39-13- . . .), where the alleged victim is one as defined in § 36-3-601, or any offender arrested for violation of § 71-6-119 (Knowing physical abuse or gross neglect of an impaired adult) where the alleged victim is 60 years old or more.

1. Did the alleged victim suffer any injury that required emergency medical attention?
 Yes No Other: _____

2. Was the Defendant armed with a weapon during the assault or any article used or fashioned in a manner that would lead the victim to reasonably believe it was a weapon?
 Yes No Other: _____

3. Was the Defendant under the influence of alcohol or other intoxicating substance?
 Yes No Other: _____

4. Was there any conduct by the Defendant that was cruel, vile, and/or inhumane during the commission of the offense?
 Yes No Other: _____

5. Were the parties separated and living apart?
 Yes No Other: _____

6. Has a complaint for divorce or separate maintenance been filed and served on the Defendant or alleged victim?
 Yes No Other: _____

7. Is there a valid order of protection in force involving the parties?
 Yes No Other: _____

8. Did the Defendant offer any resistance to the investigating officers?
 Yes No Other: _____

9. Was the Defendant cooperative with the investigating officers?
 Yes No Other: _____

10. Did the Defendant make any threat to the victim's safety, physical well-being, or life in the presence of the arresting officer?
 Yes No Other: _____

11. Is this the Defendant's first arrest involving any of the above-listed offenses?
 Yes No Other: _____

12. Was the Defendant on probation for any of the above-listed offenses involving the same or different alleged victim?
 Yes No Other: _____

13. If the Defendant has no prior conviction(s) for any of the above-listed offenses, is there a history of domestic abuse documented by police reports, calls, and/or investigations?
 Yes No Other: _____

14. Does Defendant intend to return to a residence shared or cohabitate in any way with the alleged victim?
 Yes No Other: _____

15. Findings: _____

Based upon all facts, information, and/or other circumstances known to the committing magistrate at this time, the committing magistrate orders the following: **HOLD** the Defendant for twelve (12) hours from time of arrest **NO HOLD**

Date

Judicial Commissioner