

_____ Court _____ County _____, TN	ORDER GRANTING BAIL FOR ABUSE CASES	Case Number
<u>STATE OF TENNESSEE</u> vs. _____		

Pursuant to Tennessee Code Annotated, Section 40-11-150, the Court has reviewed the facts of the arrest and detention of the defendant and determines and finds that the defendant: (check where applicable)

- ☐ 1. Is a threat to the alleged victim, _____, (hereinafter referred to as “the alleged victim” or “victim”) or other family or household member.
- ☐ 2. Is a threat to the public safety.
- ☐ 3. Is reasonably likely to appear in court.
- ☐ 4. Has been arrested for a criminal offense defined in title 39, chapter 13, in which the alleged victim of the offense is a domestic abuse victim as defined in §36-3-601, and that there is probable cause to believe the respondent either:
 - (A) Caused serious bodily injury, as defined in §39-11-106, to the alleged domestic abuse victim; or
 - (B) Used or displayed a deadly weapon, as defined in §39-11-106.
- ☐ 5. Has been arrested for the offense of aggravated assault, under T.C.A. §39-13-102(a)(1)(i), (a)(1)(iii), or (a)(1)(iv), in which the alleged victim of the offense is a domestic abuse victim as defined in §36-3-601, and that there is probable cause to believe the respondent:
 - (A) Caused serious bodily injury, as defined in T.C.A. §39-11-106, to the alleged domestic abuse victim;
 - (B) Strangled or attempted to strangle the alleged domestic abuse victim; or
 - (C) Used or displayed a deadly weapon, as defined in T.C.A. §39-11-106.

**** (Sections A - E below must be checked if the court finds #4 OR #5 above) ****

NO CONTACT ORDER

Pursuant to the above findings, the Defendant’s release or bail is conditioned on the following and it is **ORDERED** that the following NO CONTACT order(s) are entered:

(Sections A - E below must be checked if the court finds #4 OR #5 above)

- ☐ A. The defendant is enjoined from threatening to commit or committing specified offenses set forth in the warrant and against the alleged victim or other family or household member.
- ☐ B. The defendant is prohibited from harassing, annoying, telephoning, contacting or otherwise communicating with the alleged victim either directly or indirectly. Contact includes but is not limited to telephoning, emailing, text messaging, communicating through the use of social media platforms, talking to, or using third parties to initiate contact.
- ☐ C. The defendant is directed to vacate or stay away from the home of the alleged victim and to stay away from any other location where the victim is likely to be.
- ☐ D. The defendant is prohibited from using or possessing a firearm or other weapon specified by the court as follows: _____.
- ☐ E. The defendant is prohibited from possessing or consuming alcohol or controlled substances.
- ☐ F. The defendant is ordered to not abuse, threaten to abuse, hurt or try to hurt, or frighten the alleged victim and/or the alleged victim’s minor children under 18.
- ☐ G. Any other order required to protect the safety of the alleged victim and to ensure the appearance of the defendant in court as determined by this court as follows: _____.

Regarding the GLOBAL POSITIONING MONITORING SYSTEM, the Court finds as follows:

(If the court finds #5 above the court must require GPS. GPS can be waived if court finds #1 and #2 are no longer applicable)

- ☐ That the defendant’s participation in a global positioning monitoring system will deter the defendant from seeking to kill, physically injure, stalk, or otherwise threaten the alleged victim before trial.
- ☐ That the court has discussed the global positioning monitoring position with the victim per T.C.A. § 40-11-152(d) and the victim has consented to participate in the system, including victim notification. The court has informed the victim that he/she should contact _____ if he/she is in need of immediate assistance.
- ☐ That the court has discussed the global monitoring position system with the victim per T.C.A. § 40-11-152(d) and the victim has refused to participate in the system.
- ☐ That the defendant no longer poses a threat to the victim or public safety, and therefore the use of global position system monitoring is **WAIVED**.

ORDER REQUIRING GLOBAL POSITIONING MONITORING SYSTEM

(Check all applicable)

- ☐ The defendant shall wear a global positioning monitoring system device.
- ☐ The defendant shall pay the costs associated with operating that device and any electronic receptor device or cellular device application provided to the victim, pursuant to T.C.A. § 40-11-152.
- ☐ The entity that operates the global position monitoring system shall notify the law enforcement officer, listed above, and the appropriate emergency communications dispatch center if a defendant violates a condition of the bond imposed under this section.
- ☐ The entity that operates the cellular device application or electronic receptor device shall provide the victim with an email containing the enrollment procedures for the victim notification cellular device application or electronic receptor device.
- ☐ The defendant is directed to vacate or stay away from the home of the alleged victim and to stay away from any other location where the victim is likely to be, including these specific locations that the victim has requested the defendant to stay away from: _____

BAIL SET AT: _____ TWELVE (12) HOUR HOLD EXPIRES: ____ : ____ .M.

If #5 above applies, Twelve (12) Hour Hold Extended _____ Hours (up to 24 Hours after the time of arrest).
TWELVE (12) HOUR HOLD PLUS ADDITIONAL ____ HOUR HOLD EXPIRES: ____ : ____ .M.

IT IS FURTHERED ORDERED that a copy of this order be given to the defendant, the victim, and all appropriate law enforcement agencies.

Judge

Date

I acknowledge these conditions:

Defendant

Date

ORDER DISCHARGING DEFENDANT FROM CONDITIONS OF BAIL

For good cause, IT IS ORDERED that the defendant is discharged from all conditions of bail set above, except

_____ and the clerk shall send notice to appropriate law enforcement agencies.

Judge

Date

NOTICE TO DEFENDANT

If you violate this order thinking that the other party has given you permission to do so, you are wrong and can be arrested and prosecuted. The terms of this order cannot be changed by agreement of the parties. Only the court can change this order. VIOLATION OF THIS ORDER MAY CONSTITUTE CONTEMPT OF COURT AND/OR A CLASS A MISDEMEANOR PURSUANT TO T.C.A. §39-13-113 AND MAY CAUSE YOUR BAIL TO BE REVOKED.

If you hurt or try to hurt anyone while this Order, probation or diversion is in effect, you may face separate charges for aggravated assault, a Class C felony. (T.C.A. § 39-13-102(c)).