

VS.

Defendant

BOND CONSIDERATIONS

Bail should be set as low as is necessary to reasonably assure the appearance of the defendant. 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 Judge, the Judicial Commissioner, or the Clerk shall consider the following pursuant to Tennessee Code Annotated Sections 40-11-115 and 40-11-118:

- _____ The defendant's length of residence in the community;
- _____ The defendant's employment status and history and financial condition;
- _____ The defendant's family ties and relationships;
- _____ The defendant's reputation, character and mental condition;
- _____ 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;
- _____ The nature of the offense and the apparent probability of conviction and the likely sentence;
- _____ The defendant's prior criminal record and the likelihood that because of that record the defendant will pose a risk of danger to the community;
- _____ 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
- _____ Any other factors indicating the defendant's ties to the community or bearing on the risk of the defendant's willful failure to appear.

Defendants are to be advised that they have a right to petition the judge of the Circuit Court if the defendant feels that the bail set is excessive. Notice of this right must be given if bail is set by the clerk (TCA Section 40-11-105(a)(1)).

Date

Judge, Judicial Commissioner, Clerk