

K. Michelle Fletcher
CHIEF DISTRICT COURT JUDGE

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**PRETRIAL RELEASE POLICIES IN THE
TWENTY-FOURTH JUDICIAL DISTRICT
GUILFORD COUNTY
(Effective 12/5/2025)**

I. General Policy

Pursuant to Amendment VIII of the Constitution of the United States and Article I, Section 27 of the Constitution of the State of North Carolina, “excessive bail shall not be required.” To this end, and pursuant to G.S. § 15A-535(a), the following policies are adopted as a guide in determining the conditions of pretrial release in the Twenty-Fourth Judicial District of North Carolina.

II. The Conditions of Pretrial Release

In determining the conditions of pretrial release, G.S. § 15A-534(a) provides that judicial officials **MUST** impose at least one of the following conditions:

(1) Repealed G.S. § 15A-534(a)(1)

(2) Unsecured Bond G.S. § 15A-534(a)(2)

Release the defendant upon execution of an unsecured appearance bond.

An unsecured bond is a recommended condition of pretrial release for defendants of sound mind if such release will reasonably assure appearance, even if not all statutory criteria are favorable, neutral, or unknown. Judicial officials are encouraged to emphasize to defendants released on an unsecured bond that a judgment can be entered against them in the amount of the unsecured bond upon any failure to appear.

(3) Supervised Custodial Release G.S. § 15A-534(a)(3)

Place the defendant in the custody of a designated person or organization agreeing to supervise him/her.

A supervised custodial release is a recommended condition of pretrial release for defendants when the defendant is a minor, in the legal custody of another person, is not mentally sound, is under the influence of an impairing substance, is ill, or is otherwise in need of care and supervision.

The designated custodian must be a sober and responsible person or organization and must agree in writing to all terms and conditions of the custodial release. The lack of identification on behalf of the defendant is not grounds to deny this form of pretrial release if the custodian can be positively identified.

A defendant subject to supervised custodial release may later elect to execute a secured appearance bond before an appropriate judicial official pursuant to G.S. § 15A-534(a).

A judge may place a defendant with court services as a form of supervised custodial release. Monitoring by court services may be imposed in addition to other conditions of release or may be the only condition of release. Defendants may be placed with court services only after court services has interviewed the defendant and approved a contract to monitor the defendant. Magistrates are not authorized to impose court services monitoring as a condition of release.

(4) Secured Bond

G.S. § 15A-534(a)(4)

Require the execution of an appearance bond secured by a cash deposit of the full amount of the bond, by a mortgage pursuant to G.S. § 58-74-5, or by a solvent surety.

A secured bond is a presumptive condition of pretrial release for defendants who have failed to appear, absconded supervision, are charged with their first violent offense, or are probationers charged with a felony who pose a danger to the public. A defendant charged only with an offense which cannot result in incarceration should not be placed under a secured bond unless he/she has failed to appear or absconded supervision.

Judicial officers should consider the following when determining whether to impose a dollar or cash bond.

A. The Use of Dollar Bonds

The use of “dollar” bonds serves a valuable purpose of ensuring that defendants incarcerated in the jail are not called and failed while in custody. However, the processing and collection of bond forfeitures in the amount of one dollar is not cost effective. Therefore, when setting a bond, the amount should be set at a minimum of ten (\$10) dollars.

B. The Use of Cash Bonds

A cash deposit bond *must* be required in child support contempt cases, and the requirement may be satisfied *only* by actual deposit of the amount set. N.C.G.S § 15A-531(4).

(5) House Arrest with Electronic Monitoring

G.S. § 15A-534(a)(5)

House arrest with electronic monitoring is a condition of pretrial release that can be granted, if available, when a defendant is charged with a subsequent violent offense after (i) being convicted of a prior violent offense, or (ii) being released on pretrial release conditions for a prior violent offense. If this condition is imposed, the defendant **MUST** execute a secured appearance bond pursuant to pretrial release condition (4) (secured bond).

A defendant placed on house arrest with electronic monitoring SHALL pay for the services provided by the qualified vendor.

Depending on the crime charged and current number of defendants already on house arrest with electronic monitoring, a particular defendant may not be eligible for house arrest. Therefore, before imposing house arrest as a condition of pretrial release, please check with the appropriate officials to determine if a defendant can be placed on house arrest.

III. Determining the Conditions of Pretrial Release

Pursuant to G.S. § 15A-534(c), in determining which condition of pretrial release to impose, the judicial official **MUST** consider the following factors:

- (1) the defendant's criminal history;
- (2) the nature and circumstances of the offense charged;
- (3) the weight of the evidence against the defendant;
- (4) the defendant's family ties, employment, financial resources, character, housing situation, and mental condition;
- (5) the defendant's degree of intoxication and whether or not this would endanger the defendant if released without supervision;
- (6) the defendant's length of residence in the community;
- (7) the defendant's history of flight to avoid prosecution or failure to appear at court proceedings;
- (8) any other evidence relevant to the issue of pretrial release.

A. Collection of DNA or Fingerprints *G.S. § 15A-534(a)*

If the defendant is required to provide fingerprints pursuant to G.S. §§ 15A-502(a1), (a2), (a4), or (a6), or a DNA sample pursuant to G.S. § 15A-266.3A or G.S. § 15A-266.4, and:

- (1) the fingerprints or DNA sample have not yet been taken; or
- (2) the defendant has refused to provide the fingerprints or DNA sample,

the judicial official **SHALL** make the collection of the fingerprints or DNA a condition of pretrial release.

B. Findings of Fact Required *G.S. §§ 15A-511, 534(d)*

In each and every order authorizing pretrial release for (i) a defendant who is charged with a violent offense (see § III, D below) or (ii) a defendant convicted within the previous 10 years in separate sessions of court of three or more Class 1 misdemeanor or higher offenses, the judicial official **MUST** make written findings of fact explaining the reasons why the judicial official determined the conditions of release to be appropriate by applying the above listed G.S. § 15A-534(c) factors.

If a magistrate imposes pretrial release condition (2) (unsecured bond) or (3) (supervised custodial release), then **NO** written findings need to be made pursuant to G.S. § 15A-511. If a magistrate imposes pretrial release condition (4) (secured bond), the magistrate **MUST** record the reasons for doing so in writing on the attached "Written Determination of a Judicial Official on the Imposition of a Secured Bond" form (**18JD-CR-M1**). This form **SHALL** be securely attached to and accompanying the original release order form providing the conditions of pretrial release that is forwarded to the District Court.

Magistrates should use the existing forms for implied consent offenses (currently AOC-CR-271) and detention of impaired drivers (currently AOC-CR-270). However, if a secured bond is set in these cases, magistrates should also use the "Written Determination of a Judicial Official on the Imposition of a Secured Bond" form (**24JD-CR-M1**).

Magistrates should exercise extra care in checking defendants' criminal history and probation status. N.C.G.S. § 15A-534(d2) and § 15A-1345(b1) require specific action for probationers arrested for a felony, and for those arrested for a probation violation who have a pending felony or prior sex offense conviction. Magistrates should use the "Conditions of Release and Release Order" (currently AOC-CR-200) and the

new “Detention of Probationer Arrested for Felony/Detention of Defendant Arrested for Probation Violation with Pending Felony or Prior Sex Offense” (currently AOC-CR-272).

In the case of defendants who refuse to identify themselves, or if there is a reasonable doubt regarding the truth of a defendant’s stated identity, a magistrate should proceed with the initial appearance and take into consideration that a refusal to identify oneself or reasonable doubt as to a defendant’s identity indicates a potential flight risk. In this instance, a magistrate may set a bond amount above the recommended guidelines for the charged offense. The magistrate should note the reason for the higher bond on the “Written Determination of a Judicial Official on the Imposition of a Secured Bond” form (**24JD-CR-M1**).

Additionally, in the case of defendants who refuse to identify themselves or if there is a reasonable doubt as to a defendant’s identity, include as a condition of pretrial release that either the defendant adequately identify him/herself or that there is an adequate identification of the defendant. Any reasonable form of identification may meet this condition, even if it is not a written form of identification. For example, a responsible member of the community may vouch for the defendant’s identity. Since individuals may lawfully be in the country without a United States government-issued form of identification, a magistrate may not require a defendant to produce such identification as a condition of release. However, see § III, J below for additional requirements to determine legal residency.

Magistrates should encourage all Law Enforcement Officers to fill out the “Law Enforcement Officer Information” form (**24JD-CR-M2**). While not all information on this form is applicable to the setting of pretrial release conditions, it does provide information that may be helpful to the Court, Jail, Pretrial Services, or Drug and Mental Health Courts. This form should also be securely attached to and accompany the original release order form setting forth conditions of pretrial release which is forwarded to the District Court.

C. Specific Conditions of Pretrial Release *G.S. § 15A-534(a), (b)*

If pretrial release condition (3) (supervised custodial release) is imposed, the defendant **MAY** elect to execute a secured appearance bond pursuant to pretrial release condition (4) (secured bond).

The judicial official **MUST** impose pretrial release condition (4) (secured bond) or (5) (house arrest with electronic monitoring) for a defendant convicted within the previous 10 years in separate sessions of court of three or more Class 1 misdemeanor or higher offenses.

D. Violent Offenses *G.S. § 15A-534(b1)*

Pursuant to G.S. § 15A-531(9), a “violent offense” means any of the following:

- (a) any Class A through G felony that includes assault, the use of physical force against a person, or the threat of physical force against a person, as an essential element of the offense.
- (b) any felony offense requiring registration pursuant to Article 27A of Chapter 14 of the General Statutes, whether or not the person is currently required to register.
- (c) an offense under G.S. § 14-17, and any other offense listed in G.S. § 15A-533(b)(which offenses are listed in § III, E below).
- (d) an offense under G.S. §§ 14-18.4, 14-34.1, 14-51, 14-54(a1), 14-202.1, 14-277.3A, or 14-415.1, or an offense under G.S. § 90-95(h)(4c) that involves fentanyl.
- (e) any offense that is an attempt to commit an offense described in this subdivision.

For a defendant charged with a violent offense, there is a rebuttable presumption that there is no right to pretrial release. If a judicial official determines that pretrial release is appropriate (see § 15A-533(g) for guidance when pretrial release is “appropriate”), the judicial **MUST** do one of the following:

- (1) impose pretrial release condition (4) (secured bond) or (5) (house arrest with electronic monitoring) if it is the defendant’s first violent offense; or
- (2) impose pretrial release condition (5) (house arrest with electronic monitoring), if available, for any defendant charged with a second or subsequent violent offense, after either (i) being convicted of a prior violent offense, or (ii) being released on pretrial release conditions for a prior violent offense.

E. Specific Offenses Listed in Section 15A-533(b)

G.S. § 15A-533(b)

For a defendant charged with an offense listed in G.S. § 15A-533(b) and provided below, there is a rebuttable presumption that there is no right to pretrial release.

STATUTE	DESCRIPTION OF OFFENSE
G.S. § 14-17	First or second degree murder and attempted first or second-degree murder
G.S. § 14-27.21	First degree forcible rape
G.S. § 14-27.22	Second degree forcible rape
G.S. § 14-27.23	Statutory rape of a child by an adult
G.S. § 14-27.24	First degree statutory rape
G.S. § 14-27.25	Statutory rape of person who is 15 years of age or younger
G.S. § 14-27.26	First degree forcible sexual offense
G.S. § 14-27.27	Second degree forcible sexual offense
G.S. § 14-27.28	Statutory sexual offense with a child by an adult
G.S. § 14-27.29	first degree statutory sexual offense
G.S. § 14-27.30	Statutory sexual offense with a person who is 15 years of age or younger
G.S. § 14-32(a)	Assault with a deadly weapon with intent to kill inflicting serious injury
G.S. § 14-34.1	Discharging certain barreled weapons or a firearm into occupied property
G.S. § 14-39	First or second degree kidnapping
G.S. § 14-43.11	Human trafficking
G.S. § 14-51	First degree burglary
G.S. § 14-58	First degree arson
G.S. § 14-87	Robbery with firearms or other dangerous weapons

If a judicial official determines that pretrial release is appropriate, the judicial official **MUST** set pretrial release conditions in accordance with G.S. § 15A-534.

The offenses in G.S. § 15A-533(b) are “violent offenses” as defined in G.S. § 15A-531(9)(c). Accordingly, see § III, D above.

F. Other Offenses

G.S. § 15A-534(b)

Where a defendant is not charged with a violent offense, a judicial officer granting pretrial release **MUST** impose pretrial release condition (2) (unsecured bond) or (3) (supervised custodial release) unless he/she determines that release under such conditions:

- (i) will not reasonably assure the appearance of the defendant as required;
- (ii) will pose a danger of injury to any person; or
- (iii) is likely to result in destruction of evidence, subornation of perjury, or intimidation of potential witnesses.

If the judicial official makes such a determination, then pretrial release condition (4) (secured bond) or (5) (house arrest with electronic monitoring) **MUST** be imposed and the reasons for so doing **MUST** be recorded in writing.

G. Failure to Appear

G.S. § 15A-534(d1)

Where a defendant is not charged with a violent offense, when placing pretrial release conditions on a defendant who has failed to appear on charges, the judicial official **SHALL** at a minimum impose the conditions recommended on the order for arrest issued for that failure to appear. If no conditions are recommended in that order for arrest, the judicial official **SHALL** set a secured bond in the amount of at least double the amount of the most recent secured or unsecured bond on the charges. If no bond has yet been required on the charges, bond should be at least \$1,000.

H. Probationer Charged with a Felony

G.S. § 15A-534(d2)

Where a defendant is not charged with a violent offense, when considering pretrial release conditions for a defendant charged with a felony and the defendant is currently on probation, the judicial official **SHALL** determine whether the defendant poses a danger to the public prior to imposing conditions of pretrial release and record the determination in writing.

If the determination is that the defendant poses a danger to the public, then pretrial release condition (4) (secured bond) or (5) (house arrest with electronic monitoring) **MUST** be imposed.

If insufficient information is presented to make the determination, then the defendant is to be held in custody until a determination is made, and the judicial official **MUST** set out in writing that the defendant is being held pursuant to G.S. § 15A-534(d2), the basis for the determination that additional information is needed to make the danger to the public determination and the date, within 96 hours of arrest, when the defendant will be brought before a judge for first appearance. If the necessary information is provided before that date, a judicial official **MUST** proceed to set conditions for pretrial release. Otherwise, the judge presiding at the first appearance is to set the conditions.

I. Defendant with Pending Charges

G.S. § 15A-534(d3)

When conditions of pretrial release are being determined for a defendant who is currently on pretrial release for a prior offense, the judicial official **MAY** require a secured appearance bond in an amount at least double the amount of the most recent previous secured or unsecured bond for the charges or, if no bond has yet been required for the charges, in the amount of at least \$1,000. However, pursuant to G.S. § 15A-533(h), if a defendant is arrested for a new offense that was allegedly committed while the defendant was on pretrial release for another pending proceeding, the judicial official who determines the conditions of pretrial release for the new offense **SHALL** be a **JUDGE**.

J. Determination Of Legal Residency

G.S. § 15A-534(d4)

For a defendant charged with any felony, class A1 misdemeanor, any violation of G.S. § 50B-4.1 or any impaired driving offense, the judicial official **SHALL** attempt to determine if the defendant is a legal resident or citizen of the United States by inquiry of the defendant, or by examination of any relevant documents, or both. If the judicial official is unable to make this determination, then the judicial official **SHALL** set conditions of pretrial release as set forth herein and **SHALL** commit the defendant to an appropriate detention facility and otherwise comply with and follow G.S. § 15A-534(d4). The judicial official should also see form AOC-CR-663 for proposed findings and a proposed order.

K. Imposing Other Restrictive Conditions

G.S. § 15A-534(a)

A judicial official imposing one of the four statutory forms of pretrial release **MAY** also place restrictions on the travel, associations, conduct, or place of abode of the defendant.

A defendant **MAY** be required to maintain periodic contact with Court designated persons as a condition of release (e.g. Court Services staff, Day Reporting Center staff).

A defendant in a domestic violence case **MAY** be required to participate in electronic monitoring by the Court. Requiring the defendant to produce identification as a condition of release **MAY** be appropriate in circumstances where there is a real question about the identity of the person arrested.

Requiring the defendant to produce identification as a condition of release should not be used if the defendant has been arrested on an outstanding process, as the identity of the person arrested should have been established by the arresting officer. If identity is refused or doubtful, magistrates **MAY** increase bond and must record justification on Form **24JD-CR-M1**. Release may be conditioned on proper identification—by any reasonable means, including community vouching—without requiring U.S. government-issued ID.

L. Other Statutes that MUST be Considered

G.S. §§ 15A-533, 534, 721, et seq., 1345

When selecting the form of pretrial release, the General Statutes provide specific instructions and restrictions for certain types of crimes. Judicial officials **MUST** be aware of these statutes and **MUST** follow them when applicable. These statutes include:

STATUTE	DESCRIPTION OF OFFENSE
G.S. § 15A-534.1	Crimes of domestic violence
G.S. § 15A-534.2	Detention of impaired drivers
G.S. § 15A-534.3	Detention for communicable diseases
G.S. § 15A-534.4	Sex offenses and crimes of violence against child victims
G.S. § 15A-534.5	Detention to protect public health
G.S. § 15A-534.6	Bail in cases of manufacture of methamphetamine
G.S. § 15A-534.7	Threat of mass violence on educational property or at a place of religious worship
G.S. § 15A-534.8	Rioting or looting
G.S. § 15A-533(a)	New offense while involuntary committed (see § III, M below)
G.S. § 15A-533(b)	Holds for certain high-level felonies (see § III, E above)
G.S. § 15A-533(b1)	Order requiring examination by commitment examiner (see § III, N below)
G.S. § 15A-533(d)	Drug trafficking (see § III, O below)
G.S. § 15A-533(e)	Street gang activity (see § III, P below)
G.S. § 15A-533(f)	Illegal use, possession, or discharge of a firearm (see § III, Q below)
G.S. § 15A-533(h)	New offenses while on pretrial release
G.S. 15A, Art. 37	Uniform criminal extradition act
G.S. § 15A-1345(b1)	Detention of defendant arrested for probation violation with pending felony or prior sex offense

M. Committed New Offense While Required to be Involuntarily Committed

G.S. § 15A-533(a)

A defendant has no right to pretrial release where the defendant committed a crime while the defendant was involuntarily committed or required to be involuntarily committed, and where the involuntary commitment is still valid. However, the defendant **SHALL** be returned to the treatment facility for continuation of treatment, not jail.

THIS SECTION BECOMES EFFECTIVE DECEMBER 1, 2026 (Session Law 2025-97)

O. Drug Trafficking

G.S. § 15A-533(d)

If a judicial official finds the following:

- (1) there is reasonable cause to believe that a person has committed a drug trafficking offense; and
- (2) the drug trafficking offense was committed while the person was on pretrial release for another offense; and
- (3) the person has been previously convicted of a Class A through E felony, or any drug trafficking offense, and not more than 5 years has passed since the conviction (or release from prison for the offense, whichever is later);

then the defendant can **ONLY** be released by a district or superior court judge upon a finding that there is a reasonable assurance that the person will appear and release does not pose an unreasonable risk of harm to the community.

P. Gang Activity

G.S. § 15A-533(e)

When determining the form of pretrial release, verified gang activity is an appropriate factor to consider. However, in making this determination, judicial officials **MAY ONLY** consider specific and verified incidents of gang activity. Conclusory statements that the defendant is a known gang member or associates with known gang members are **NOT** sufficient for including this factor in a determination of pretrial release.

If a judicial official finds the following:

- (1) there is reasonable cause to believe that the defendant has committed an offense for the benefit of, at the direction of, or in association with any criminal street gang; and
- (2) the street gang activity offense was committed while the defendant was on pretrial release for another offense; and
- (3) the defendant has been previously convicted of an offense described in G.S. § 14-50.16 through G.S. § 14-50.20, and not more than 5 years has passed since the conviction or release from prison for the offense, whichever is later;

then the defendant can **ONLY** be released by a district or superior court judge upon a finding that there is a reasonable assurance that the person will appear and release does not pose an unreasonable risk of harm to the community.

Q. Illegal Use, Possession, Or Discharge Of A Firearm

G.S. § 15A-533(f)

If a judicial official finds reasonable cause to believe that the defendant committed a felony or Class A1 misdemeanor offense involving the illegal use, possession, or discharge of a firearm, and the judicial official also finds any of the following:

- (1) the offense was committed while the defendant was on pretrial release for another felony or Class A1 misdemeanor offense involving the illegal use, possession, or discharge of a firearm;
OR
- (2) the defendant has previously been convicted of a felony or Class A1 misdemeanor offense involving the illegal use, possession, or discharge of a firearm and not more than five years

have elapsed since the date of conviction or the defendant's release for the offense, whichever is later;

then the defendant can **ONLY** be released by a district or superior court judge upon a finding that there is a reasonable assurance that the person will appear and release does not pose an unreasonable risk of harm to the community.

IV. Suggested Bond Amounts--offenses other than Drug Trafficking

The following are guidelines for the setting of secured bonds when that condition of pretrial release is imposed. These bond amounts are suggested ranges and are **NOT MANDATORY**. Judicial officials are vested with discretion in the setting of conditions of pretrial release and are expected to exercise their discretion in the setting such conditions. The suggested bond amounts are NOT limitations on judicial discretion.

TYPE OF OFFENSE	MAXIMUM PUNISHMENT	SUGGESTED SECURED BONDS
Local Ordinance	\$50 fine or 30 days	Unsecured
Class 3 Misdemeanor	20 days	Unsecured
Class 2 Misdemeanor	60 days	Unsecured or up to \$2,000 secured
Class 1 Misdemeanor	120 days	Unsecured, Custody Release, or up to \$3,000 secured
Class A1 Misdemeanor	150 days	\$1,000 to \$5,000
Driving While Impaired	36 months	Unsecured to \$25,000
Class I Felony	24 months	\$1,000 to \$10,000
Class H Felony	39 months	\$5,000 to \$20,000
Class G Felony	47 months	\$5,000 to \$30,000
Class F Felony	59 months	\$10,000 to \$50,000
Class E Felony	88 (136)** months	\$15,000 to \$75,000
Class D Felony*	204 (252)** months	\$25,000 to \$250,000
Class C Felony*	231 (279)** months	\$30,000 to \$350,000
Class B2 Felony*	484 (532)** months	\$100,000 to \$500,000
Class B1 Felony*	Life without Parole	\$200,000 to \$1,000,000
Class A Felony*	Death, Life without Parole	No Bond (unless set by Judge)
Habitual DWI*	59 months	\$5,000 to \$75,000
NC Probation Violation		Set amount appropriate for the underlying offense considering the nature of any violations and any new charges [subject to N.C.G.S. § 15A-1345(b1)]
Fugitive Warrant		
Governor's Warrant		
Interstate Compact		
Parole Warrant		No Bond

* Each of these offenses carries a mandatory minimum active sentence

** The maximum sentence for offenses subject to the sex offender registration in parentheses

V. Suggested Bond Amounts--Drug Trafficking Offenses

Before setting a bond for a drug trafficking offense, see § III, O above.

The following are guidelines for the setting of secured bonds when that condition of pretrial release is imposed. These bond amounts are suggested ranges and are **NOT MANDATORY**. Judicial officials are vested with discretion in the setting of conditions of pretrial release and are expected to exercise their discretion in the setting such conditions. The suggested bond amounts are NOT limitations on judicial discretion.

Each of the offenses listed below carries a mandatory minimum active sentence.

CLASS OF OFFENSE / MAX SENTENCE	SUGGESTED SECURED BONDS
Class H / 39 months	\$5,000 - \$25,000
Class G / 51 months	\$25,000 - \$150,000
Class F / 93 months	\$50,000 - \$200,000
Class E / 120 months	\$100,000 - \$400,000
Class D / 222 months	\$200,000 - \$500,000
Class C / 282 months	\$250,000 - \$1,000,000

STATUTE	DESCRIPTION OF OFFENSE	PUNISHMENT / MIN FINE
Trafficking in Marijuana G.S. § 90-95(h)(1)	more than 10 pounds and less than 50 pounds	Class H / \$5,000
	50 – 1,999 pounds	Class G / \$25,000
	2,000 – 9,999 pounds	Class F / \$50,000
	10,000 pounds or more	Class D / \$200,000
Trafficking in Synthetic Cannabinoids G.S. § 90-95(h)(1a)	more than 50 - 249 dosage units	Class H / \$5,000
	250 - 1249 dosage units	Class G / \$25,000
	1250 - 3749 dosage units	Class F / \$50,000
	3750 or more dosage units	Class D / \$200,000
Trafficking in Methaqualone G.S. § 90-95(h)(2)	1,000 – 4,999 dosage units	Class G / \$25,000
	5,000 – 9,999 dosage units	Class F / \$50,000
	10,000 dosage units or more	Class D / \$200,000
Trafficking in Cocaine G.S. § 90-95(h)(3)	28 – 199 grams	Class G / \$50,000
	200 – 399 grams	Class F / \$100,000
	400 grams or more	Class D / \$250,000
Trafficking in Methamphetamine G.S. §§ 90-95(h)(3b) Trafficking in Substituted Cathinones G.S. §§ 90-95(h)(3d)	28 – 199 grams	Class F / \$50,000
	200 – 399 grams	Class E / \$100,000
	400 grams or more	Class C / \$250,000
Trafficking in Amphetamine G.S. § 90-95(h)(3c)	28 - 199 grams	Class H / \$5,000
	200 - 399 grams	Class G / \$25,000
	400 grams or more	Class E / \$100,000
Trafficking in Opium or Heroin G.S. § 90-95(h)(4)	4 – 13 grams	Class F / \$50,000
	14 – 27 grams	Class E / \$100,000
	28 grams or more	Class C / \$500,000
Trafficking in LSD G.S. § 90-95(h)(4a)	100 – 499 dosage units	Class G / \$25,000
	500 – 999 dosage units	Class F / \$50,000
	1,000 dosage units or more	Class D / \$200,000
Trafficking in MDA / MDMA G.S. § 90-95(h)(4b)	100 – 499 dosage units or 28 – 199 grams	Class G / \$25,000
	500 – 999 dosage units or 200 – 399 grams	Class F / \$50,000
	1,000 dosage units, 400 grams, or more	Class D / \$250,000

PRETRIAL RELEASE WRITTEN DETERMINATION BY JUDICIAL OFFICIAL

STATE OF NORTH CAROLINA versus _____

FILE NO[S]. _____

☐ Secured Bond ☐ Unsecured Bond is Set in the Amount of : _____

☐ Defendant was also released by citation for additional charges

NEXT COURT DATE: _____ **COURTROOM:** _____ **TIME:** _____

THE REASONS FOR REQUIRING A SECURED BOND ARE AS FOLLOWS: (*One or more of the following must be checked*)

- ☐ 1) Necessary to reasonably assure the appearance of the defendant.
 - ☐ 2) The defendant poses a danger of injury to another person or persons.
 - ☐ 3) The defendant is likely to destroy evidence, suborn perjury, or intimidate a witness or witnesses.
-

In determining the form of pretrial release, the undersigned judicial official took into account the defendant's criminal history along with the criteria as required in N.C.G.S. 15A-534(c), which includes the following:

- nature and circumstances of the offense charged;
- the weight of the evidence against the defendant;
- the defendant's family ties, employment, financial resources;
- character and mental condition;
- whether the defendant is intoxicated to such a degree that he would be endangered by being released without supervision;
- the length of his residence in the community;
- his record of convictions;
- his history of flight to avoid prosecution or failure to appear at court proceedings; and
- any other evidence relevant to the issue of pretrial release.

EXPLANATION OF FACTORS CONSIDERED: (*This section must be completed and is required for certain offenders pursuant to N.C.G.S. 15A-534(d)*)

Law Enforcement Officer Information

Defendant's Name: _____ Date: _____

Arresting Officer: _____ Agency: _____

Offense(s) Charged: _____

Condition of defendant at time of arrest (check all that apply):

- | | | |
|--|--|---|
| ☐ Cooperative | ☐ Uncooperative | ☐ Emotional/Distraught |
| ☐ Verbally Abusive | ☐ Combative | ☐ Threatening Towards Others |
| ☐ Impaired (Alcohol or Drugs) | ☐ Confused | ☐ Threatening Towards Victim |
| ☐ Possible Mental Problems | | |

Defendant's identity in question due to (check all that apply):

- ☐ No identification Gave False Information to LEO
- ☐ Defendant Using Alias(es) Fake or Multiple IDs on Person
- ☐ Unable to Gain Confirmation of Identification by Family, Friend, Employer, or Criminal History

Defendant may be a flight risk due to (check all that apply):

- | | |
|---|--|
| ☐ Prior History of Failing to Appear | ☐ Prior History of Absconding |
| ☐ Has No Ties to the Community | |

Defendant's criminal status (check all that apply):

- | | |
|--|--|
| ☐ Has Prior History of Convictions for Similar Offenses | |
| ☐ Additional Charges may be Forthcoming | ☐ Has Other Pending Charges |

Please list below any other information the presiding judicial official should know:
