

Bond Conditions in Impaired Driving Cases in Texas

Impaired Driving Symposium
Sheraton Austin
August 4-5, 2016

Randall L. Sarosdy
General Counsel
Texas Justice Court Training Center

The Problem

- Impaired and intoxicated driving harms public safety on Texas roadways and in Texas communities.
- In 2014, 1,041 people died in alcohol-related motor vehicle crashes in Texas, accounting for 29% of all Texas traffic fatalities.
- Intoxication was the fifth most common contributing factor in motor vehicle crashes in 2014.

Anatomy of a DWI Arrest

- Most DWI arrests begin when a peace officer initiates a traffic stop. In order to initiate a traffic stop, a peace officer generally must have a reasonable suspicion that a person has committed a violation of Texas traffic laws.
- After the traffic stop, a peace officer who observes signs of driver intoxication may perform an investigation. A roadside DWI investigation may include:
 - Administration of standardized field sobriety tests;
 - General observations regarding the driver (odor of alcohol, glassy eyes, slurred speech, etc.); or
 - Use of investigatory tools such as a portable breath test.

Anatomy of a DWI Arrest

- If the peace officer determines, as a result of the roadside investigation, that probable cause exists to believe that the driver of the vehicle committed the offense of DWI, the officer shall arrest the driver.
- Texas implied consent laws require the arresting officer to request that the person arrested provide a breath sample or a blood sample (arresting officer's choice).

Anatomy of a DWI Arrest

- After a peace officer arrests a person for DWI, the peace officer must take the defendant before a magistrate.
 - In Texas, several types of government officials—including district judges, county judges, justices of the peace, and municipal judges—serve as magistrates.
- The magistrate to whom the person is presented reads the person arrested his or her rights, sets bail, and sets bond conditions.

What is a Bond Condition?

- When a defendant is released from state custody, a magistrate may impose conditions designed to ensure that the defendant will appear in court to answer criminal charges.
- A magistrate “may impose any reasonable condition of bond related to the safety of a victim of the alleged offense or to the safety of the community.”

What is a Bond Condition?

- Bond conditions may not be used as punishment. Rather, they should reflect the state's interest in conditioning the person's release from state custody on the preservation of public safety.
- All magistrates are required by Texas law to: "preserve the peace within [their] jurisdiction by the use of all lawful means."

Mandatory Bond Conditions in Some DWI Cases

- If the person arrested for DWI has previously committed a DWI offense, Texas law states that the magistrate shall:
 - 1) Order the defendant to install an ignition interlock device "on the motor vehicle owned by the defendant or on the vehicle most regularly driven by the defendant" within 30 days; and
 - 2) "Not operate any motor vehicle unless the vehicle is equipped with that device."
- The magistrate may waive this condition only if "the magistrate finds that to require the device would not be in the best interest of justice."

What's an Ignition Interlock Device?

- "A device that uses a deep-lung breath analysis mechanism to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator."
- Sometimes referred to as a "blow before you go" device.

Why Does Texas Law Require Magistrates to Order IIDs?

- The National Highway Traffic Safety Administration states:
- "Research shows that ignition interlocks are associated with substantial reductions in recidivism, ranging from 50 percent to 90 percent while the interlock is installed on the vehicle. These results come from several peer-reviewed studies and a meta-analysis examining the effectiveness of interlocks."

Why Does Texas Law Require Magistrates to Order IIDs?

- NHTSA (continued):
- "Research studies demonstrate that ignition interlocks are effective for both first-time and repeat DWI offenders. A research study in New Mexico indicates that for first-time offenders with ignition interlocks, the rate of recidivism was 3.51 percent, while first-time offenders without ignition interlocks had a significantly higher re-arrest rate of 7.09 percent."

IIDs as Bond Conditions in Other Intoxication-Related Cases

- Remember: a magistrate may impose bond conditions which protect public safety and/or crime victims.
- Ignition interlock devices have been proven to reduce the overall number of DWI offenses.
- Therefore, a magistrate may require any person to install an ignition interlock device when the magistrate believes that the condition will help to secure the defendant's appearance at trial and protect the community that the magistrate serves.

But Wait!

- Doesn't a person's driver's license get suspended if he or she is arrested for DWI?
- If so, why does Texas law require magistrates to impose bond conditions related to **driving**?
- Doesn't suspending the person's driver's license reduce the overall number of DWI offenses?

Driver's License Suspension and DWI

- A person's driver's license will be suspended by the Department of Public Safety if:
 - 1) The person arrested for DWI refuses to provide a breath or blood sample;
 - 2) The person arrested for DWI provides a breath or blood sample and the result indicates that the person had a BAC of over 0.08; or
 - 3) The person arrested for DWI is convicted of DWI.

Driver's License Suspension and DWI

- A person whose license is suspended by DPS prior to conviction may retain his or her license by winning an Administrative License Revocation (ALR) hearing.
- Many defense attorneys use the ALR hearing to get a preview of the trial or to elicit testimony designed to "catch" the arresting peace officer making inconsistent statements at trial.
 - As a result, many Texas prosecutors advise peace officers not to attend ALR hearings. Failure to attend results in the licensee keeping his or her driver's license.

Driver's License Suspension and DWI

- Even if the officer attends the hearing and the license suspension is upheld, statistics show that up to 75% of drivers will continue to drive on a suspended license.
- A person whose license suspension is upheld may also obtain an occupational license.
- The bottom line: license suspension alone is ineffective when it comes to reducing the incidence of DWI offenses.

The Importance of Bond Conditions

- Because driver's license suspension alone does not effectively prevent DWI offenses, Texas counties primarily utilize bond conditions to promote public safety while the defendant's case is pending in the criminal justice system.
- In many jurisdictions, DWI cases may take over a year to reach trial.

Bond Conditions & Consistency

- Bond conditions are perceived as fair when there is some consistency in the bond conditions set by various county magistrates, and those conditions are monitored/enforced consistently and fairly.
- Bond conditions should not be identical in every DWI case, but bond conditions should not differ widely from case to case either.

Monitoring Bond Conditions

- In order to be effective, bond conditions set by magistrates must be monitored.
- Texas law allows magistrates to designate a county agency to monitor bond conditions.

Monitoring Agencies Used in Texas

- Probation department (C.S.C.D.)
- County Attorney's Office
- District Attorney's Office
- County Sheriff's Office
- Court before which the prosecution is pending
- Interlock providers (SmartStart, Guardian, LifeSafer, etc.) are not monitoring agencies, but provide reports to monitoring agencies.

Can monitoring agencies collect fees for their services?

- 1) A magistrate may authorize any monitoring agency to collect a fee of up to \$10.00 per month for monitoring an ignition interlock device (fee must be approved by county auditor or commissioners court);
- 2) A C.S.C.D. may collect an administrative fee of between \$25.00 and \$60.00 per month for providing monitoring services.

Monitoring Other Bond Conditions

- Other bond conditions which a magistrate/court may wish to monitor include:
 - Attending alcohol/drug counseling or substance abuse treatment;
 - Home curfew;
 - Alcohol/controlled substance testing;

Responsibility for monitoring or altering bond conditions shifts

- When formal charges are filed in a trial court, responsibility for monitoring bond conditions shifts from the magistrate who originally set the conditions to the judge of the trial court.
- Example: a justice of the peace requires the defendant to install an ignition interlock device within 30 days. Formal charges are filed in a county court 20 days later. It is the county court's responsibility to monitor/enforce this bond condition.

Responsibility for monitoring or altering bond conditions shifts

- A trial court judge may also alter the bond conditions originally set by a magistrate.
- Example: a county judge forgot to require the defendant to install an ignition interlock device as a condition of bond following an arrest for felony DWI. After an indictment is returned in district court, the district judge may add this bond condition.

Responsibility for monitoring or altering bond conditions shifts

- This shift in responsibility makes it important for county magistrates to be on the same page when it comes to setting and monitoring bond conditions.
- Frequent changes to bond conditions result in a chaotic and unpredictable system for defendants, prosecutors, and court staff.

Enforcement of Bond Conditions

- If a trial court judge or magistrate learns of a violation of a bond condition, the judge or magistrate may hold a bond revocation hearing.
- The defendant, the defendant’s attorney, and a prosecutor representing the state are all entitled to notice and the opportunity to present evidence at the hearing.

Enforcement of Bond Conditions

- If the judge or magistrate finds by a preponderance of the evidence that a bond condition violation occurred, the magistrate may revoke the defendant’s bond.
- Bond revocation results in the defendant’s return to state custody.
 - The defendant may post a new bond. However, the amount of bail may be raised, or the bond may include new bond conditions.

POTENTIAL ISSUES REGARDING BOND CONDITIONS

Issue #1: Magistrate Fails to Set Bond Conditions Required By Law

- Texas law compels magistrates to set a bond condition requiring the accused to install an ignition interlock device (unless the magistrate finds such a condition would not be in the best interest of justice).
- Magistrates who ignore Article 17.441 violate Texas law and fail to uphold their duty to protect public safety pursuant to Article 2.12, CCP.

Issue #2: County Bond Conditions are Inconsistent

- Consistent bond conditions promote fairness, efficiency, and predictability for:
 - Defendants
 - Prosecutors
 - Monitoring Agencies
 - Court staff

Issue #3: Lack of Prosecutor Involvement

- A prosecutor’s presence is required at a bond revocation hearing for the presentation of evidence.
- A prosecutor’s failure or refusal to appear at bond revocation hearings may jeopardize efforts to promote public safety.

Texas DWI Bond Schematic Program

- Under this program, our county has adopted a comprehensive plan for setting, monitoring, and enforcing bond conditions in DWI cases.
- The program is funded by a traffic safety grant from the Texas Department of Transportation and administered by the Texas Justice Court Training Center.

Texas DWI Bond Schematic Program

- Details regarding the plan adopted by our county officials:
 - Mandatory bond conditions
 - Permissive bond conditions
 - Monitoring of bond conditions

UNIVERSAL TEXAS DWI BOND CONDITION SCHEMATIC

Created and Promulgated by the Texas Justice Court Training Center

SECTION I: AMOUNT OF BAIL

Every Magistrate must take the following into account when fixing the amount of bail:

1. The bail shall be sufficiently high to give reasonable assurance that the undertaking will be complied with.
2. The power to require bail is not to be so used as to make it an instrument of oppression.
3. The nature of the offense and the circumstances under which it was committed are to be considered.
4. The ability to make bail is to be regarded, and proof may be taken upon this point.
5. The future safety of a victim of the alleged offense and the community shall be considered.

These five factors must be carefully considered in every case.

Table: Classes of Intoxication Offenses	
Offense	Class
DUI Minor (1 st offense)	C
DUI Minor (2 or more previous final DUI-M dispositions & Def. 17 or Older)	B
DWI (1 st offense)	B
BWI (1 st offense)	B
FWI (1 st offense)	B
DWI with BAC > 0.15	A
DWI (1 previous Ch. 49 conviction)	A
BWI (1 previous Ch. 49 conviction)	A
FWI (1 previous Ch. 49 conviction)	A
DWI with Child Passenger	SJF
DWI (2 or more previous Ch. 49 convictions)	F3
BWI (2 or more previous Ch. 49 convictions)	F3
FWI (2 or more previous Ch. 49 convictions)	F3
DWI with 1 or more intoxication manslaughter convictions	F3
Intoxication Assault	F3
Intoxication Assault on peace officer, firefighter, EMS	F2
Intoxication Manslaughter	F2
Intoxication Manslaughter causing death of peace officer, firefighter, EMS	F1

SECTION II: BOND CONDITION CHECKLIST

Section A: Ignition Interlock

1. The defendant shall have installed on the motor vehicle owned by the defendant or on the vehicle most regularly driven by the defendant, a device that uses a deep-lung breath analysis mechanism to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator. The defendant shall have the device installed on the appropriate motor vehicle, at the defendant's expense, before the 30th day after the date the defendant is released on bond. The defendant shall abstain from the use of alcohol.

Condition 1 **shall** be imposed if all of the following conditions apply:

- The defendant is charged with any of the following offenses: a subsequent offense under Section 49.04, Penal Code (Driving While Intoxicated), a subsequent offense under Section 49.05, Penal Code (Flying While Intoxicated), a subsequent offense under Section 49.06, Penal Code (Boating While Intoxicated), an offense under Section 49.07, Penal Code (Intoxication Assault), or an offense under Section 49.08, Penal Code (Intoxication Manslaughter); AND
- The magistrate does not find that to require the device would not be in the best interest of justice.

Condition 1 **may** be imposed if all of the following conditions apply:

- The defendant is charged with any of the following offenses: any of the following offenses: an offense under Section 49.04, Penal Code (Driving While Intoxicated), an offense under Section 49.05, Penal Code (Flying While Intoxicated), an offense under Section 49.06, Penal Code (Boating While Intoxicated), or an offense under Section 49.045, Penal Code (DWI with child passenger); AND
- The magistrate determines that requiring the defendant to install an interlock ignition device is a reasonable condition of bond related to the safety of a victim or the community.

2. The defendant shall not operate any motor vehicle unless the vehicle is equipped with an ignition interlock device.

Condition 2 **shall** be imposed if the condition listed below applies:

- The defendant is charged with any of the following offenses: a subsequent offense under Section 49.04, Penal Code (Driving While Intoxicated), a subsequent offense under Section 49.05, Penal Code

(Flying While Intoxicated), a subsequent offense under Section 49.06, Penal Code (Boating While Intoxicated), an offense under Section 49.07, Penal Code (Intoxication Assault), or an offense under Section 49.08, Penal Code (Intoxication Manslaughter)

Condition 2 **may** be imposed if all of the following conditions apply:

- The defendant is charged with any offense, including an offense under Section 49.04, Penal Code (Driving While Intoxicated), an offense under Section 49.05, Penal Code (Flying While Intoxicated), an offense under Section 49.06, Penal Code (Boating While Intoxicated), or an offense under Section 49.045, Penal Code (DWI with child passenger); AND
- The magistrate determines that requiring the defendant to refrain from driving any vehicle not equipped with an interlock ignition device is a reasonable condition of bond related to the safety of a victim or the community.

3. _____ [fill in any appropriate agency] is designated as the agency assigned to verify the installation of the ignition interlock device and to monitor the device. The defendant shall pay an initial fee to the monitoring agency at the time the agency verifies the installation of the ignition interlock device. Additionally, in every subsequent month for which the agency provides a monitoring service, the defendant shall pay a fee on the first occasion in that month that the agency provides a monitoring service. The amount of the initial fee and the subsequent monitoring fee shall be: _____ [fill in an amount not to exceed \$10 as determined by the county auditor, or by the commissioners court of the county if the county does not have a county auditor, to be sufficient to cover the cost incurred by the designated agency in conducting the verification or providing the monitoring service].

Condition 3 **may** be imposed if the magistrate has ordered the defendant to install an ignition interlock device as a condition of bond.

Section B: Monitoring and Controlled Substance Testing

4. The defendant shall submit to home curfew under the supervision of _____ [fill in an appropriate monitoring agency]. The defendant shall be at home between the hours of _____ every day, without exception.

Condition 4 **may** be imposed in any case if the magistrate considers it to be an appropriate condition.

5. *The defendant shall remain at his or her place of residence at all times following his or her release from confinement. The defendant may leave his or her place of residence to attend a court setting, to comply with a condition of the defendant's bond, or with the written permission of the magistrate.*

Condition 5 **may** be imposed in any case if the magistrate considers it to be an appropriate condition.

6. *The defendant shall submit to electronic location monitoring to enforce home confinement or the curfew hours designated by the magistrate and have installed on the defendant's person a device that continuously monitors the defendant's location. The defendant shall have the device installed not later than the ____ day after the date the defendant is released on bond.*

Electronic monitoring shall be supervised by _____ [fill in an appropriate monitoring agency]. The costs of monitoring shall [choose one]:

- Be paid directly by the defendant as a condition of bond; OR*
- Be assessed as court costs.*

Condition 6 **may** be imposed in any case if the magistrate considers it to be an appropriate condition.

7. *The defendant shall report to _____ [fill in an appropriate monitoring or testing agency] and submit to testing on a [circle one] weekly/bi-weekly/monthly/other: _____ basis for the presence of a controlled substance in the defendant's body.*

In order to determine whether the defendant has used a controlled substance, the defendant shall provide the monitoring agency with a sample of his or her:

- Blood*
- Hair*
- Urine*
- Other: _____*

The costs of testing for controlled substances shall: [choose one]

- Be paid directly by the defendant as a condition of bond; OR*
- Be assessed as court costs.*

Condition 7 **may** be imposed in any case if the magistrate considers it to be an appropriate condition.

Section C: Conditions Related to the Safety of the Community

8. *The defendant shall refrain from consuming alcohol and obtain a portable alcohol monitoring device that monitors the defendant's blood alcohol concentration on a periodic basis. The defendant shall obtain and activate the device not later than the 30th day after the date the defendant is released on bond, and shall refrain from tampering with the device. Operation of the device shall be monitored by _____ [fill in an appropriate monitoring or testing agency].*

Condition 8 **may** be imposed in any case if the magistrate determines that requiring the defendant to obtain a portable alcohol monitoring device is a reasonable condition of bond related to the safety of a victim or the community.

9. *The defendant shall refrain from consuming alcohol and have installed on the defendant's person a device that continuously monitors the defendant's blood alcohol concentration. The defendant shall have the device installed and activated not later than the 30th day after the date the defendant is released on bond, and shall refrain from tampering with the device. Operation of the device shall be monitored by _____ [fill in an appropriate monitoring or testing agency]. The device:*

- Shall be programmed to electronically monitor the defendant's location; OR*
- Shall not be used to electronically monitor the defendant's location.*

Condition 9 **may** be imposed in any case if the magistrate determines that requiring the defendant to obtain a device that continuously monitors the defendant's alcohol consumption and/or physical location is a reasonable condition of bond related to the safety of a victim or the community.

10. *The defendant shall obtain a drug detection patch approved by the court and apply said patch to his or her person not later than the ____ day after the date the defendant is released on bond, refrain from tampering with the patch following its application, and report to _____ [fill in an appropriate monitoring or testing agency] on a [circle one] weekly/bi-weekly/monthly/other: _____ basis for testing of the drug detection patch.*

Condition 10 **may** be imposed in any case if the magistrate determines that requiring the defendant to obtain a drug detection patch is a reasonable condition of bond related to the safety of a victim or the community.

11. *The defendant shall avoid persons or places of disreputable or harmful character, including any person, other than a family member of the defendant, who is an active member of a criminal street gang.*

Condition 11 **may** be imposed in any case if the magistrate determines that requiring the defendant to avoid disreputable persons is a reasonable condition of bond related to the safety of a victim or the community.

12. The defendant shall attend counseling sessions for substance abusers or participate in substance abuse treatment services in a program or facility approved or licensed by the Texas Commission on Alcohol and Drug Abuse.

Condition 12 **may** be imposed in any case if the magistrate determines that requiring the defendant to attend counseling sessions is a reasonable condition of bond related to the safety of a victim or the community.

13. The defendant shall not communicate directly with any victim of the alleged offense.

Condition 13 **may** be imposed in any case if the magistrate determines that prohibiting victim contact is a reasonable condition of bond related to the safety of a victim or the community.

14. The defendant shall abstain from the use of alcohol, any controlled substance, as that term is defined by Section 481.002, Health and Safety Code, or any drug for which the defendant does not hold a valid prescription.

Condition 14 **may** be imposed in any case if the magistrate determines that prohibiting further alcohol/drug use is a reasonable condition of bond related to the safety of a victim or the community.

Section D: Monitoring Agency

15. Any condition of bond for which a monitoring agency is not specifically designated shall be monitored by:

- The District Attorney's Office;*
- The County Attorney's Office;*
- The County Community Supervision and Corrections Department, and the defendant shall pay a monitoring fee of \$____ per month [fill in an amount between \$25.00 and \$60.00] to the Department;*
- The court or magistrate before whom the prosecution is pending; OR*
- Other:*

The defendant shall report to the monitoring agency designated above not later than the ____ day after the defendant is released on bond.

Condition 15 **may** be imposed in any case if the magistrate determines that submitting to monitoring of the bond conditions placed on the defendant is a reasonable condition of bond related to the safety of a victim or the community.

Section E: Other Conditions

16. _____

17. _____

The magistrate **may** impose any additional condition in any case if the magistrate determines the condition is a reasonable condition of bond related to the safety of a victim or the community.

Improving Bond Conditions in DWI Cases through the Texas DWI Bond Schematic Program

Administered by the Texas Justice Court Training Center Traffic Safety Initiative
Randall L. Sarosdy
RS52@txstate.edu

Funding provided by the Texas Department of Transportation

The DWI Bond Schematic (or Uniform Bond Condition) Program is part of a statewide plan to reduce the incidence of DWI offenses in Texas by assisting Texas counties in adopting a comprehensive plan for setting bond conditions in DWI cases. The Texas Justice Court Training Center (TJCTC) views this program as an important step in reducing the number of DWI drivers on Texas roads and highways, thereby improving public safety throughout the state.

TJCTC will work with all criminal magistrates (including county judges, municipal court judges and justices of the peace), local prosecutors, and potential monitoring agencies in each county that elects to participate in the program in order to create forms specific to that county to be used in administering the program. These forms may be based on TJCTC's Universal DWI Bond Schematic (available at www.tjctc.org) or forms that a county currently uses in setting bond conditions. Forms will be modified to meet the bond conditions that county officials agree are appropriate in DWI cases.

The program: provides county officials with an opportunity to develop a system for setting, monitoring, and enforcing DWI bond conditions to ensure community safety and protect victims; increases consistency in setting bond conditions by a magistrate and a trial court; promotes the use of bond conditions (such as ignition interlock devices) that reduce the incidence of DWI recidivism; and ensures that bond conditions required by law are set, monitored and enforced.

The program is administered by the Texas Justice Court Training Center Traffic Safety Initiative through funding provided by the Texas Department of Transportation. If you would like further information concerning the program, please feel free to contact Randall L. Sarosdy at rs52@txstate.edu.

CAUSE No. _____

THE STATE OF TEXAS

§

IN THE JUSTICE COURT

Vs

§

PCT.

§

ROCKWALL COUNTY, TEXAS

ORDER RELATING TO CONDITIONS OF BAIL BOND

Pursuant to Article 17.441 and/or 17.40, Texas Code of Criminal Procedure, the Court hereby **ORDERS** the following selected below as conditions of the defendant’s bond. Failure to comply with this order may result in the revocation of the defendant’s bond and the return of the defendant to the custody of the state.

The conditions below are ordered:

- Because the Defendant is charged with a subsequent offense under Penal Code 49.04 - 49.06 or an offense under Penal Code 49.07 or 49.08.
- Because the Defendant is charged with an offense under Penal Code 49.04—49.06 and I find that requiring the conditions ordered below are reasonable conditions related to the safety of the community.
- To protect the safety of the community.

Condition 1: Ignition Interlock

The defendant **SHALL** refrain from consuming alcohol. The defendant **SHALL** have installed on the motor vehicle owned by the defendant or on the vehicle most regularly driven by the defendant, a device that uses a deep-lung breath analysis mechanism to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator. **The device shall be equipped with a camera.** The defendant **SHALL** have the device installed on the appropriate motor vehicle, at the defendant’s expense, before the 30th day after the date the defendant is released on bond. The defendant **SHALL** provide evidence verifying the installation of the device to the Rockwall County Court at Law, at the address provided below, before the 30th day after the date the defendant is released on bond. The defendant **SHALL** retain a copy of the evidence verifying the installation of the device and bring the copy to any court proceeding concerning this criminal offense. The defendant **SHALL NOT** operate any motor vehicle unless the vehicle is equipped with an ignition interlock device. The defendant **SHALL** provide a copy of this order to the ignition interlock device provider and/or installer. The defendant **SHALL** comply with the rules of the vendor.

Condition 2: Portable Alcohol Monitoring Device

The defendant **SHALL** refrain from consuming alcohol. The defendant **SHALL** obtain, not later than the 30th day after the date the defendant is released on bond, a device that monitors the defendant’s blood alcohol concentration on a periodic basis. **The device shall be equipped with a camera.** The defendant **SHALL** provide evidence verifying the activation of the device described above to the Rockwall County Court at Law not later than the 30th day after the date the defendant is released on bond. The defendant **SHALL** retain a copy of the evidence verifying the activation of the device and bring the copy to any court proceeding concerning this criminal offense. The defendant **SHALL** comply with the rules of the vendor.

Condition 3: Continuous Alcohol Monitoring Device

The defendant **SHALL** refrain from consuming alcohol. The defendant **SHALL** have installed on the defendant’s person, not later than the 30th day after the date the defendant is released on bond, a device that continuously monitors the defendant’s alcohol consumption. The defendant **SHALL** provide evidence verifying the installation and activation of the device described above to the Rockwall County Court at Law not later than the 30th day after the date the defendant is released on bond. The defendant **SHALL** retain a copy of the evidence verifying the installation and activation of the device and bring the copy to any court proceeding concerning this criminal offense. The defendant **SHALL** comply with the rules of the vendor.

Condition 4: Abstention from Controlled Substance Use

The defendant shall not ingest, inhale, inject or otherwise use any controlled substance, as defined by Section 481.002 of the Health and Safety Code.

Magistrate’s signature

SIGNED THIS _____ DAY OF _____, 20_____.

The Hon. _____, Justice of the Peace, Precinct __, Rockwall County

NOTICE TO IGNITION INTERLOCK DEVICE PROVIDERS:

The defendant identified in the attached order is responsible for all costs associated with the installation and maintenance of the ignition interlock device. The ignition interlock device you install **must be equipped with a camera**. All devices are to be approved by the Texas Department of Public Safety.

NOTICE TO PORTABLE ALCOHOL MONITORING DEVICE PROVIDERS:

The defendant identified in the attached order is responsible for all costs associated with the installation and maintenance of the alcohol monitoring device. The device you provide to the defendant **must be equipped with a camera**.

NOTICE TO CONTINUOUS ALCOHOL MONITORING DEVICE PROVIDER:

The defendant identified in the attached order is responsible for all costs associated with the installation and maintenance of the alcohol monitoring device.

NOTICE TO THE DEFENDANT:

If **Condition 1** is selected, you must provide proof that a camera-equipped ignition interlock device has been installed on the vehicle you own or the vehicle you drive most regularly within **30 days**. Such proof must be provided to the Rockwall County Court at Law by mail or by fax using the information provided below.

You may use any ignition interlock device provider you choose, provided that the ignition interlock device installed complies with Texas law, is equipped with a camera, and is approved by the Texas Department of Public Safety. Ignition interlock device providers which operate in the North Texas area include:

- 1) Smart Start, Inc. (800)-880-3394
- 2) Intoxalock (877) 777-5020
- 3) Draeger (800)332-6858
- 4) LifeSafer Interlock of Texas, LLC (866) 503-4500

If **Condition 2** is selected, you must provide proof that you have obtained and activated an in-home alcohol monitoring device within **30 days**. Such proof must be provided to the Rockwall County Court at Law by mail or by fax using the information provided below.

You may use any alcohol-monitoring device provider you choose, provided that the device you obtain is equipped with a camera. Device providers which operate in the North Texas area include:

- 1) Smart Start, Inc. (800)-880-3394
- 2) Intoxalock (877) 777-5020
- 3) LifeSafer Interlock of Texas, LLC (866) 503-4500
- 4) SOBERLink (714) 975-7200
- 5) SCRAM Systems (800) 557-0861

If **Condition 3** is selected, you must provide proof that you have obtained and activated a continuous alcohol monitoring device within **30 days**. Such proof must be provided to the Rockwall County Court at Law by mail or by fax using the information provided below.

Device providers which operate in the North Texas area include:

- 1) Recovery Health Care (800) 566-3388

Defendant is to report proof of installation within 30 days to:
The Hon. Brian Williams
Judge, Rockwall County Court at Law
Attention: Brenda
1111 E. Yellowjacket Lane, Suite 403
Rockwall, Texas 75087
Fax: (972) 204-6419

CAUSE No. _____

THE STATE OF TEXAS

§

IN THE JUSTICE COURT

Vs

§

PCT. __

§

ROCKWALL COUNTY, TEXAS

ADDENDUM TO BAIL BOND FOR INTOXICATION CHARGES

Pursuant to Chapter 17, Texas Code of Criminal Procedure, the conditions selected below are incorporated into the defendant's bail bond by reference and are expressly made a part of the bail bond for all purposes.

The conditions below are ordered:

- Because the Defendant is charged with a subsequent offense under Penal Code 49.04 - 49.06 or an offense under Penal Code 49.07 or 49.08.
- Because the Defendant is charged with an offense under Penal Code 49.04—49.06 and I find that requiring the conditions ordered below are reasonable conditions related to the safety of the community.
- To protect the safety of the community.

Condition 1: Ignition Interlock

- The defendant shall: A) Refrain from consuming alcohol; B) Have installed on the motor vehicle owned by the defendant or on the vehicle most regularly driven by the defendant, a camera-equipped device that uses a deep-lung breath analysis mechanism to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator; C) Have the device installed on the appropriate motor vehicle, at the defendant's expense, before the 30th day after the date the defendant is released on bond; D) Provide evidence verifying the installation of the device to the Rockwall County Court at Law before the 30th day after the date the defendant is released on bond; E) Retain a copy of the evidence verifying the installation of the device and bring the copy to any court proceeding concerning this criminal offense; and F) Not operate any motor vehicle unless the vehicle is equipped with an ignition interlock device. G) The defendant shall comply with the rules of the vendor.*

Condition 2: Portable Alcohol Monitoring Device

- The defendant shall: A) Refrain from consuming alcohol; B) Obtain, not later than the 30th day after the date the defendant is released on bond, a device that monitors the defendant's blood alcohol concentration on a periodic basis. C) Provide evidence verifying the activation of the device described above to the Rockwall County Court at Law not later than the 30th day after the date the defendant is released on bond; and D) Retain a copy of the evidence verifying the activation of the device and bring the copy to any court proceeding concerning this criminal offense. E) The defendant shall comply with the rules of the vendor.*

Condition 3: Continuous Alcohol Monitoring Device

- The defendant shall: A) Refrain from consuming alcohol; B) Have installed on the defendant's person, not later than the 30th day after the date the defendant is released on bond, a device that continuously monitors the defendant's alcohol consumption; C) Provide evidence verifying the installation and activation of the device described above to the Rockwall County Court at Law not later than the 30th day after the date the defendant is released on bond; and D) Retain a copy of the evidence verifying the installation and activation of the device and bring the copy to any court proceeding concerning this criminal offense. E) The defendant shall comply with the rules of the vendor.*

Condition 4: Abstention from Controlled Substance Use

- The defendant shall not ingest, inhale, inject or otherwise use any controlled substance, as defined by Section 481.002 of the Health and Safety Code.*

Magistrate's signature

SIGNED THIS _____ DAY OF _____, 20_____.

The Hon. _____, Justice of the Peace, Precinct __, Rockwall County

Printed name of defendant

Printed name of surety

Defendant's Signature

Surety's signature

TEXAS DWI BOND CONDITION SCHEMATIC PROGRAM ENROLLMENT FORM

SECTION I: AGREEMENT OF MAGISTRATES

We, the undersigned criminal magistrates (as defined by Art. 2.09, Texas Code of Criminal Procedure) having jurisdiction in _____ County, agree to participate in the Texas DWI Bond Condition Schematic Program. Participation in the program includes: a) adopting a comprehensive plan for setting bond conditions in DWI cases; b) implementing the plan following its adoption; and c) communicating with the Texas Justice Court Training Center regarding implementation of the plan on an annual basis.

1. District Judge(s)

Print Name

Signature

Print Name

Signature

Print Name

Signature

2. Constitutional County Court Judge (100% participation required)

Print Name

Signature

3. County Court-at-Law Judge(s) (100% participation required)

Print Name

Signature

4. Justice(s) of the Peace (75% participation required)

Print Name

Signature

5. Municipal Court Judge(s) and/or Other Magistrate(s)

Print Name

Signature

Print Name

Signature

Print Name

Signature

6. County Attorney

Print Name

Signature

7. District Attorney

Print Name

Signature

SECTION II: ADOPTION OF DWI BOND CONDITION SCHEMATIC

Subsection A: Monitoring Devices

1. Ignition Interlock

The defendant shall:

1) have installed on the motor vehicle owned by the defendant or on the vehicle most regularly driven by the defendant, a device that uses a deep-lung breath analysis mechanism to make impractical the operation of a motor vehicle if ethyl alcohol is detected in the breath of the operator. The defendant shall have the device installed on the appropriate motor vehicle, at the defendant's expense, before the 30th day after the date the defendant is released on bond; and

2) shall not operate any motor vehicle unless the vehicle is equipped with an ignition interlock device.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter (must be selected)
- Intoxication assault (must be selected)
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter (must be selected)
- Felony DWI with two previous convictions for DWI/BWI/FWI (must be selected)
- DWI with one previous conviction for DWI/BWI/FWI (must be selected)
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter

- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

2. Portable Alcohol Monitoring Device

The defendant shall:

- 1) refrain from consuming alcohol; and
- 2) obtain a device that monitors the defendant's blood alcohol concentration on a periodic basis. The defendant shall obtain and activate the device not later than the 30th day after the date the defendant is released on bond.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15

- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

3. Continuous Alcohol Monitoring

The defendant shall:

- 1) refrain from consuming alcohol; and
- 2) have installed on the defendant's person a device that continuously monitors the defendant's alcohol consumption. The defendant shall have the device installed not later than the 30th day after the date the defendant is released on bond.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault

- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

Subsection B: Home Curfew/Confinement and Location Monitoring

1. Home Curfew

The defendant shall remain at home between the hours of ____ ____M and ____ ____M, as designated by the magistrate setting the bond condition.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15

- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

2. Home confinement

The defendant shall:

Remain at his or her place of residence at all times following his or her release from confinement. The defendant may leave his or her place of residence to attend a court setting, to comply with a condition of the defendant's bond, or with the written permission of the magistrate.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault

- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

3. Electronic location monitoring

The defendant shall:

- 1) submit to electronic location monitoring to enforce home confinement or the curfew hours designated by the magistrate; and
- 2) have installed on the defendant's person a device that continuously monitors the defendant's location. The defendant shall have the device installed not later than the 30th day after the date the defendant is released on bond.

Electronic monitoring shall be supervised by _____ [fill in an appropriate monitoring agency]. The costs of monitoring shall [choose one]:

- Be paid directly by the defendant as a further condition of bond; or
- Be assessed as court costs at a later date.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI

- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

3. Non-electronic location monitoring

The defendant shall:

Submit to non-electronic location monitoring to enforce home confinement or the curfew hours designated by the magistrate. Location monitoring shall be supervised by _____ [fill in an appropriate monitoring agency].

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

Subsection C: Controlled Substance Testing

1. Abstention from Controlled Substance Use

The defendant shall not ingest, inhale, inject or otherwise use any controlled substance, as defined by Section 481.002 of the Health and Safety Code.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15

- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

2. Controlled Substance Testing

The defendant shall report to _____ [fill in an appropriate monitoring or testing agency] and submit to testing on a [circle one] weekly/bi-weekly/monthly/other: _____ basis for the presence of a controlled substance in the defendant's body.

In order to determine whether the defendant has used a controlled substance, the defendant shall provide the monitoring agency with a sample of his or her:

- Blood
- Hair
- Urine
- Other: _____

The costs of testing for controlled substances shall: [choose one]

- Be paid directly by the defendant as a condition of bond; OR
- Be assessed as court costs.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense

- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

3. Drug Detection Patch

The defendant shall:

- 1) obtain a drug detection patch approved by the court and apply said patch to his or her person not later than the ____ day after the date the defendant is released on bond;
- 2) refrain from tampering with the patch following its application;
- 3) report to _____ [fill in an appropriate monitoring or testing agency] on a [circle one] weekly/bi-weekly/monthly/other: _____ basis for testing of the drug detection patch.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter

- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

Subsection D: Other Conditions

1. Alcohol and/or Drug Counseling

The defendant shall attend counseling sessions for substance abusers or participate in substance abuse treatment services in a program or facility approved or licensed by the Texas Commission on Alcohol and Drug Abuse.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI

- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

2. Avoiding certain persons and places

The defendant shall avoid persons or places of disreputable or harmful character, including any person, other than a family member of the defendant, who is an active member of a criminal street gang.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger

- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

3. No victim contact

The defendant shall not:

- 1) communicate directly with any victim of the alleged offense;
- 2) go within _____ feet of the victim's residence, the victim's place of employment, or a school where a dependent child of the victim is in attendance.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

4. Unlisted Condition 1: please fill in information regarding this condition below.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI

- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

5. Unlisted Condition 2: please fill in information regarding this condition below.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter

- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

6. Unlisted Condition 3: please fill in information regarding this condition below.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15

- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

7. Unlisted Condition 4: please fill in information regarding this condition below.

This is a mandatory condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault
- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

This is a discretionary condition when the defendant has been charged with:

- Intoxication manslaughter
- Intoxication assault

- DWI with a child passenger
- Felony DWI with previous conviction for intoxication manslaughter
- Felony DWI with two previous convictions for DWI/BWI/FWI
- DWI with one previous conviction for DWI/BWI/FWI
- DWI with BAC > 0.15
- DWI first offense
- DUI Minor with two previous DUI-M convictions
- DUI Minor

Subsection E: Monitoring Agency or Agencies

We designate the following agency or agencies to assist our county's magistrates in monitoring bond conditions.

Agency Name

Condition(s) Monitored

SECTION III: REPORTING TO TJCTC

Please designate one county official who is a party to this agreement to serve as the contact person for your county. This individual will receive communications and updates from TJCTC and will be responsible for completing an annual reporting form for the county.

Name

Title

Mailing Address

Email Address

Telephone Number

Fax Number