

Racial Justice Improvement Project  
Pretrial Release in Halifax County, North Carolina: Interim Findings  
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## INTRODUCTION

The North Carolina Commission on Racial and Ethnic Disparities in the Criminal Justice System (NC-CRED) is a non-profit organization dedicated to identifying, documenting, and alleviating racial and ethnic disparities in the criminal and juvenile justice systems. In partnership with the American Bar Association's Racial Justice Improvement Project, we have, over the last year, embarked on a research project aimed at determining the extent, if any, of racial disparities in the pretrial process in two North Carolina counties. We have been working with a cross-agency group of criminal justice stakeholders in each county to develop responses to potential racial disparities and inefficiencies in the pretrial process. This document describes the process whereby NC-CRED collected and analyzed data from one North Carolina county, namely Halifax County.

The topic of pretrial release was chosen for several reasons. Some national studies suggest that minority defendants are more likely to be held in jail prior to adjudication; that they are assigned higher bail amounts than whites; and that they are more likely than whites to receive more severe bail options.<sup>3</sup> Furthermore, pretrial release involves decisions and arguments made by many criminal justice stakeholders—law enforcement, Magistrates, Judges, defense attorneys, district attorneys, and, where available, pretrial services. Finally, pretrial detention has a number of “spillover” effects on later outcomes for defendants. For example, defendants detained before trial plead guilty more often, are convicted at higher rates, and are sentenced to jail or prison more often than those who are released.

Halifax County is a rural county in the First Judicial Division, District 6A in the northeastern part of the state. In the fiscal year 2011-2012, Halifax County processed 163 felony convictions. From this total, 153 cases were settled by way of a guilty plea, and 10 resulted in convictions following a jury trial.<sup>4</sup> The other county in which we have begun collecting data is Guilford County, a much larger, urban county.<sup>5</sup> With continued funding and support of this project, the initial findings from the Greensboro data will be prepared by the end of the fall 2014.

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<sup>3</sup> See, for example, Demuth, Stephen (2003), *Racial and Ethnic Differences in Pretrial Release Decisions and Outcomes: A Comparison of Hispanic, Black and White Felony Arrestees*, 41 *Criminology* 873.

<sup>4</sup> Craddock, Amy, Hall, Michelle, and Hevener, Ginny, “Structured Sentencing Statistical Report for Felonies and Misdemeanors Fiscal year 2011/12,” North Carolina Sentencing and Policy Advisory Commission, February 2013, p 6.

<sup>5</sup> Guilford County is an urban county in the Fifth Judicial Division, District 18, North Carolina. In the fiscal year 2011/12, Guilford County processed 1,707 felony convictions. 1,670 were by way of a guilty plea, and 37 were convictions following a jury trial. Some preliminary pretrial release statistics provided by Pretrial Services of Guilford County gave a brief overview of the potential relationship between bond and race. In FY 2012/2013 in Guilford County there were 1,438 felony arrests of African Americans. Of those 1,438, three of them (0.2%) pled guilty at first appearance, 52 (3.6%) were released on a written promise to appear or unsecured bond, 33 (2.3%) of them were referred to pretrial services to be supervised during their bond period, which may or may not include a secured bond amount. 1,328 (93%) of African Americans arrested for

In both counties, NC-CRED has recruited a team of criminal justice stakeholders to come together to strategize about this project. In Halifax County our Task Force members are Honorable Brenda Branch, Chief District Court Judge, Honorable Melissa Pelfrey, District Attorney, Wes Tripp, Halifax County Sheriff, Rebecca Spraggins, Clerk of Court, Cynthia Pitchford, Chief Magistrate, and Tonza Ruffin, defense attorney. In Guilford County our Task Force includes the District Attorney, Pretrial Services manager, the Public Defender, the Chief of Police, and the Resident Superior Court Judge. The Task Force is governed by members of NC-CRED. Professor Jeff Welty of the School of Government at UNC, Chapel Hill and James E. Williams, Jr, Public Defender for Orange and Chatham Counties co-chair the NC-CRED subcommittee in charge of this project. Our Research Director is Dr. Neil Vidmar of Duke University School of Law. Guanga "Ya" Liu . Ph.D, Duke Law School, is our statistical expert . The research is designed and conducted by our Research Director with help from NC-CRED staff and the Pretrial Subcommittee Co-Chairs.

## METHODOLOGY

### Class of Cases/Severity of Offenses

We have chosen to look at Class H felonies. The majority of felony convictions for the fiscal year 2011-2012 were Offense Class H, making up 44% of all felony convictions.<sup>6</sup> The top five Class H felony convictions for fiscal year 2011-2012 in North Carolina were breaking or entering buildings with felonious intent (29%), obtaining property by false pretenses for property valued at less than \$100,000 (11.8%), larceny of property valued at more than \$1,000 (9.3%), possession with intent to distribute cocaine (6.4%), and possession of stolen goods (4.3%).<sup>7</sup> The punishment range for Class H felonies is from 4-25 months. Class H felonies can be heard in either District or Superior Court. In Fiscal Year 2011-2012, 3,054 Class H (or 25% of Class H convictions) felony pleas were accepted in District Court.<sup>8</sup> A portion of our sample was handled solely in District Court.

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felonies in FY 2012/13 in Guilford county were given a secured bond. During the same time period there were 565 felony arrests of Caucasians. None of these pled guilty at first appearance, 22 (3.9%) were released on a written promise to appear or unsecured bond, and 11 of them (1.9%) were referred to pretrial services for pretrial supervision, with or without a secured bond. 530 (93.8%) of Caucasians arrested for felonies in FY 2012/13 in Guilford county were given a secured bond. Hispanic felony defendants numbered 76. No Hispanics pled guilty at first appearance, none were released on a written promise to appear or unsecured bond, and none were referred to pretrial services. All (100%) of Hispanics arrested for felonies in FY 2012/13 in Guilford county were given a secured bond. 35 Asian/Native American/other defendants were arrested for felonies during the FY 2012/13. None of these pled guilty at first appearance, one (2.9%) was released on a written promise to appear or unsecured bond (unspecified), and none were referred to pretrial services. 33 (94.3%) Asians, Native Americans, or individuals of another ethnicity not specified were given a secured bond.

These numbers suggest that there is not much of a difference in types of releases ordered for African Americans and Caucasian felony defendants in Guilford County. These numbers do not tell us the potential differences in bond amounts for African American defendants as compared to white defendants, which is what our study was designed to collect.

<sup>6</sup> Craddock, Amy, Hall, Michelle, and Hevener, Ginny, "Structured Sentencing Statistical Report for Felonies and Misdemeanors Fiscal year 2011/12," North Carolina Sentencing and Policy Advisory Commission, February 2013, p 1.

<sup>7</sup> *Id.*, Appendix B, p. 62.

<sup>8</sup> *Id.*, p 8.

## Sample Size

Our target sample size for this initial study was 100 cases. Its purpose was to determine the feasibility of doing the research and identify any problem areas. (We found no problems.) Our final research will include a sample of 400 cases from each jurisdiction, for a total of 800 cases.

This initial report is intended to provide a preliminary evaluation of our chosen area of focus—pretrial release—and our methodology. The second year of the pretrial release study will be dedicated to resuming data collection to reach our target of eight hundred total cases (four hundred in each jurisdiction) and implementing any reforms that the data suggest are needed.

Our samples were chosen from a list of Class H felony cases provided by the Administrative Office of the Courts (AOC).<sup>9</sup> From the spreadsheet provided by the AOC, we pulled a random selection of 1,000 defendants. The first two hundred cases were selected and the data were collected. NC-CRED's Project Manager and a paid contract employee collected information from the Halifax County Clerk's office on these cases until the initial sample size of 100 was reached. Many case files were filed improperly or were in circulation in the courthouse and had to be skipped over during our data collection process. Our final sample size was 102.

## Gathering Information

### *Criminal History Information: ACIS Database<sup>10</sup>*

ACIS is the statewide automated case processing system that tracks criminal cases from initiation through disposition for both district and superior courts. It is publically available in Clerk's offices. ACIS contains race information and limited information about pretrial release. It has fields for the monetary amount of the defendant's bond (if any) and whether that bond is secured or unsecured. However, those fields are not used in a consistent manner across the state. A Clerk's office could use those fields to indicate: (1) the original release conditions set by the Magistrate (even if a Judge later modified the conditions), or (2) the current release conditions, i.e., the release conditions after any judicial modifications. Therefore, we conclude that this database is not a good place from which to gather pretrial release information.

However, this was our preferred method for collecting criminal history information. There is no consistent way that Magistrates and District Court Judges get criminal history information when they are setting bonds. Usually District Attorneys can provide that information, but all judges and magistrates do have access to ACIS at the bench. We assumed that this is best repository of the information available to the official setting bond and most reflective of what Magistrates would actually consider while making pretrial release decisions.

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<sup>9</sup> See Appendix A for a full explanation of the AOC extraction.

<sup>10</sup> See Appendix B for a discussion of other criminal databases in North Carolina.

Collection of criminal histories from the database is cumbersome. Each individual charge is listed separately in this system. There are many repeats and a lot of incomplete information. In order to obtain criminal histories, we conducted a global search for a shortened version of the particular defendant's name (in order to account for the dropping of middle names or misspellings) and then searched through the numerous results for all charges against the correct defendant (verified by cross-referencing the date of birth). We necessarily had to go through each individual record, match it with the charges associated with it, and record the date and disposition. We only recorded convictions up until the time bond was being set in the sample case for that defendant. Case numbers, date and type of disposition were entered into an excel spreadsheet. From that spreadsheet NC-CRED staff tallied the number of felony convictions, felony arrests not resulting in a felony conviction, misdemeanor convictions, misdemeanor arrests not resulting in a misdemeanor conviction (if only resulted in an infraction), infractions, traffic cases, previous failures to appear, convictions of the same charge being considered for bond, and arrests for the same charge being considered for bond. These numbers were passed onto the statistician, who used them to control for defendant's criminal histories.

### ***Pretrial Release Information: Court Decisions Captured***

In order to both correct for database errors and to capture all bonds given in a case and their modifications, we looked to the original court documentation in the Clerk's files. Our staff and volunteers first determined which cases were being considered when the initial bond was being set. This information was located on the "Conditions of Release and Release Order" (Release Order) form.<sup>11</sup> We recorded offenses by their simple four-digit offense code. Some defendants had multiple charges for a single bond hearing, and some had multiple charges receiving separate bonds at the same or nearly the same time. We recorded all of the offenses from a single Release Order form, and simply noted if the defendant had other, simultaneously pending, cases. We coded the charges and number of offenses with two fields in our data analysis: 1) by the number of associated cases, and 2) by the total number of offense codes across all associated cases.

Next, our staff recorded the Magistrate's bond amount and type set at Initial Appearance, and any conditions he or she attached to that bond. We noted whether the Magistrate used the "Written Determination of a Judicial Official on the Imposition of a Secured Bond" and, if she or he did, we recorded which factors were considered.<sup>12</sup> The Bond Policies for Halifax County, District 6A, and Guilford County, District 18, state that "when magistrates impose a secured bond, they shall record the reasons for doing so in writing on the ... 'Written Determination of a Judicial Official on the Imposition of a Secured Bond'".<sup>13</sup> We were verbally informed that Magistrates fill out this form when they exceed the suggested bond amounts for Class H felonies, which in Halifax County is a range between \$1,000 and \$10,000, and in Guilford a range between \$0 and \$10,000.

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<sup>11</sup> See Appendix C for a copy of the release order.

<sup>12</sup> See Appendix D for the Written Determination form.

<sup>13</sup> See Appendix E for Halifax County's Bond Policy.

We looked to the reverse side of the Release Order form in order to determine if there were any modifications at the First Appearance hearing. In Guilford County, modifications to Initial Appearance bonds were commonplace and often recorded on the reverse side of the Release Order form. However, in Halifax, we rarely found documentation of bond modification at a First Appearance hearing. After Initial Appearance, if a defendant is still incarcerated, there must be a First Appearance hearing before a district court judge (or clerk of court if no district court judge is available) within 96 hours. This official—either the judge or the clerk of court—will review the conditions of pretrial release and appoint counsel if needed.

We also perused the Clerk's files for any further bond hearings. These would be requested by the defendant's attorney. If they did occur, we would record what, if any, modification was made and by whom. While in the Clerk's files we also double-checked the accuracy of the disposition date as recorded by ACIS. Often we found the date of a plea, for example, was different from the date ACIS had as a disposition date. We noted any of these discrepancies. If we were able to find one in the file, we also recorded the release date of the defendant.

We further collected some details on the disposition of cases. Our categories for dispositions were 1) pled guilty to misdemeanor, 2) pled guilty with some charges dismissed, 3) pled guilty as charged, 4) went to trial and was acquitted, 5) went to trial and was found guilty and 6) dismissed, 7) prayer for judgment continued, 8) deferred prosecution, and 9) other. If an individual pled guilty, we were able to collect information about their educational history from the plea narrative.

### ***Other Information Gathered***

We were also able to obtain information on the date bond was posted, if it was posted, and how that bond was posted: professional bondsman, insurance company, an individual, property, signing oneself out (written promise to appear bond), being signed out (custody bond), or paying in cash. There was rarely other information that would be pertinent to bond, but we would occasionally find a form for law enforcement designed to give the Magistrate additional information about the case and/or defendant. When these forms were present, our staff and volunteers would record the information found there, which was usually descriptions of the defendant's behavior at arrest ("defendant was cooperative/belligerent at arrest," "defendant has a history of failure to appear," etc.). Other times notes about mental health issues or substance abuse problems were present but they were not recorded in a consistent manner. At times, we became aware of a defendant's mental health issues because an order for a competency evaluation was in the file, other times we found a letter from a treatment facility in the Clerk's files. Not all of this information, at least delivered in the format we found it, would have been available to the Magistrate, so we are not relying on it for our data analysis.

## RESULTS

### Overall Population

The final sample size for our initial study was 102 randomly selected defendants from Halifax County charged with a lead offense Class H felony. The overall population for each statistical analysis run varied either because of eligible samples for a particular question or because the question only applied to a portion of the overall sample population. Of the 102 total defendants for whom information was collected, 62 (60.7%) were black, 37 (36.2%) were white and three were Hispanic, other or unknown (one of each, 2.9%). Halifax County's general population is 53.2% black, 40.9% white, and 2.5% Hispanic. The prison population of Halifax County is 76.5% black, 23.5% white, and 0.4% other.<sup>14</sup> Because of the small number of Hispanic or other minority classifications in the sample, our analysis below only compares outcomes for black defendants to those of non-black defendants (i.e., white, Hispanic, other, or unknown).

### Types of Bonds

There are five types of bonds that can be given to any defendant: custody, cash, secured, unsecured, and written promise to appear. Of our entire sample, we were able to positively identify the type of bond assigned to the defendant for 99 of the subject defendants. Only one defendant received a cash bond, two received custody bonds, 75 received secured bonds, and 21, unsecured bonds. In our sample, no written promises to appear were given. Thus, 76% of the time defendants received secured bonds, 21% of the time they received unsecured bonds and 2% or less of the time they received cash or custody bonds.<sup>15</sup>

In order to consider how race may or may not impact the type of bond given to a particular individual, we looked at the method by which defendants posted bond in order to capture any modifications that occurred to the bond after the Magistrate's initial bond assignment. There were 68 individuals for whom we could definitively determine how bond was posted, because we had to exclude the defendants who were unable to post bond. When we look at the methods of posting bond, we see that the single cash bond in our sample was given to a black defendant, and that the custody bonds were once for a black defendant and once for a white defendant. Black defendants bonded out with unsecured bonds 27% of the time and secured bonds 68% of the time. White defendants bonded out with unsecured bonds 33% of the time, and secured bonds 63% of the time. Thus, a higher percentage of white defendants than black defendants received unsecured bonds.<sup>16</sup>

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<sup>14</sup> The general population percentages are based on census data, and prison population percentages are gathered from the North Carolina Department of Corrections website. We do not currently have the jail population of Halifax County broken down by race.

<sup>15</sup> Tables 6-8, Appendix F.

<sup>16</sup> Table 9, Appendix F.

## Amount of Bond Set, Criminal History & Other Factors Considered

In order to determine how to most accurately describe the relationship between race and bond amount, we conducted a regression analysis. The population used for analysis of bond amount was 62 black defendants and 39 non-black defendants, for a total of 101 subjects. One of the sample defendants was not given a bond amount, so he was excluded from this analysis. First, we calculated the mean bond amounts in general, by Magistrate, and, finally, by race.

The mean bond for Halifax County based on our sample was \$18,040. If we remove the Magistrates for whom we only have one or two examples of bonds set, we see that the mean bond amount given ranges from a low of \$3,750 to \$26,571.<sup>17</sup> The overall mean bond for the black defendants was \$19,710 and the mean bond for white defendants was \$15,385. Therefore, without controlling for criminal history, the mean bond amounts disaggregated by race indicate there was a difference in the amounts of bonds set based on race: the mean bond for African-Americans was \$4,325 higher than those set for white defendants. As a side note, the mean bond amounts were well above the suggested secured bond amounts for Class H felonies in Halifax County, which range from \$1,000 to \$10,000.<sup>18</sup>

At the present stage of our research we are reluctant to impute meaning to the findings of the study due to the small sample size and number of variables for which we were attempting to control. There is a raw difference in bond amounts according to race, and the regression analysis shows a weak but positive correlation between race and the amount of bond. The factors that have the most impact on bonds, according to this analysis, are: the number of offenses being considered for bond, number of associated cases, prior failures to appear in court, and, to a lesser extent, prior infractions.<sup>19</sup> Other factors considered in the regression analysis were prior felony convictions and arrests, prior misdemeanor convictions and arrests, residency, age, and gender.<sup>20</sup>

It is surprising that prior felony convictions of a defendant had a negative correlation with the bond amount, as did prior misdemeanor convictions.<sup>21</sup> The results of our final model indicate that Magistrates and Judges were giving more weight to infractions when considering bond amounts than they were to the more serious misdemeanor or felony convictions.<sup>22</sup> Other findings are less surprising. The factors that are determining most of the decisions in these Halifax County cases were proper: previous failures to appear and the seriousness of the case as indicated by the number of charges and cases associated with a particular bond, even if prior convictions seem not to be a part of that analysis. Being black did have a positive impact on bond amount in our regression analysis, but was not as significant as the other factors, listed above.

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<sup>17</sup> See Table 21 in Appendix F.

<sup>18</sup> Halifax Bond Policy, Appendix E.

<sup>19</sup> Table 65, Appendix F.

<sup>20</sup> These variables are highly correlated and, thus, it was recommended by our statistician, Guangya Liu, that we not include them all together in one model, if we were to run the analysis a second time.

<sup>21</sup> Table 65, Appendix F.

<sup>22</sup> *Id.* Infractions have a t value of 2.09, with a p value of .04, whereas felony convictions have a t value of -.16 and p value of .871. Misdemeanor convictions have similar values. See Table 65, Appendix F.

It should be noted that, in this preliminary sample, only two of the bonds set were assigned with the aid of the Written Determination form. Therefore, even though the mean bond being set in Halifax County is well above the suggested amounts, we do not have this documentation of Magistrate decision making. Our results clearly show that this form is not being used routinely in Halifax County.

## **OTHER RESULTS**

### **Relationship between Bonding Out and Case Disposition**

The sample size of defendants about whom we definitively knew both that they were unable to bond out and the disposition of their case was 26 for dispositions recorded by ACIS, and 25 for dispositions recorded by our manual collection process. (ACIS imported information from its database to our excel spreadsheet, but we were also collecting disposition information from the clerk's files. The disposition information from the clerk's files is more complete, because it does not include superseding indictments; it is the actual final disposition of the Class H charges we are considering.) Of the individuals who were unable to bond out, 36% of their cases were dismissed, and 60% of them pled guilty. Of the individuals who were unable to bond out and pled guilty, 12% pled guilty to a lesser offense (some charges dismissed), 4% (total=1) pled guilty as charged, and 8% (total=2) pled guilty to a misdemeanor.<sup>23</sup>

### **Ability to Post Bond**

The sample size of defendants for whom we affirmatively knew whether or not they were able to post bond was 100. 61% of those individuals were black and 36% of them were white, 3% other. 26% of the black defendants were not able to post bond, as compared to 28% of white defendants.

We also looked at the relationship between race, type of attorney, and whether or not the defendant was able to post bond. The sample size of people for whom we affirmatively knew whether they were able to post bond and what type of attorney they had was 99. Twenty four of that 99 were unable to post bond and had an appointed attorney. Thus, 31% of people with an appointed attorney were not able to post bond, 6.25% (total=1) of defendants with a private attorney were not able to post bond and no defendants who waived an attorney (presumably unrepresented) were unable to post bond. On the other hand, 93% of the people who retained a private attorney were able to post bond as compared to 69% of those with an appointed attorney. Of the twenty four people who were unable to post bond and had an appointed attorney, fourteen of them were black. Of the fifteen people who had a private attorney and were able to post bond, nine were black. This suggests that economic status, unsurprisingly, plays a role in whether or not a defendant is able to post bond, but that race does not negatively impact one's ability to post bond regardless of economic status.<sup>24</sup>

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<sup>23</sup> Tables 25 & 27, Appendix F.

<sup>24</sup> Table 31, Appendix F.



Of those individuals who were not able to post bond (26/100), the mean number of days spent in jail were 222. Of those able to post bond (74/100), the mean number of days spent in jail were 13. Including race in this equation creates a slightly different picture.

Black defendants who were also unable to post bond (16/100) spent a mean of 303 days in jail, compared to white defendants who were unable to post bond (10/100) spending a mean a 125 days in jail.<sup>25</sup> In this initial analysis, we did not include the severity of crime when considering the mean number of days spent in jail.

## CONCLUSION

With our current sample size we cannot definitively show that the effect of race was statistically significant in relation to bond amount, but there is a strong hint that race is a factor in the setting of bond amounts. Generally, the results from the initial data indicates a few areas of concern that warrant further investigation, but are positive in that they show the factors that weigh most heavily in favor of a higher bond amount being set in Halifax County are the factors one would expect to be most important to an impartial judicial official. The fact that prior felony convictions and prior misdemeanor convictions seem to have less of an impact on bond amount than race, however, does raise concern, and indicates either that the model is flawed, or that there is an imbalance in judicial decisions in relation to these factors. Our results do indicate that a higher percentage of white defendants are receiving unsecured bonds than Black defendants.

The intention is to continue gathering more data in order to produce more robust results, while moving forward in Halifax County with training on pretrial processes and small-scale reforms to address the areas of concern found in this initial study.

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<sup>25</sup> Tables 34, 37, and 39, Appendix F.

**APPENDIX A**  
**Administrative Office of the Courts Data Extraction**  
**Procedure & Disclaimers**

## *Procedure*

On Tuesday, November 26<sup>th</sup> we requested a dataset from the Administrative Office of the Courts that met the following criteria: 1) cases from districts 6B and 18, 2) with a Class H felony as the top, initiating charge, 3) cases that have been closed (unless this wasn't an easy parameter to include, then the technician would substitute cases that were initiated at least 9 months ago), 4) cases that were initiated no earlier than 1/1/10. We wanted to avoid cases that were more than three or four years old because older cases would raise questions about comparability, due to changes in policies, procedures, and law.<sup>1</sup>

AOC extracted the data we requested from the ACIS criminal database for offenses filed after 12/31/2009, with a felony charge in Districts 18 and 6B. This initial request was provided to us on January 28, 2014. We made a second, nearly identical, request on March 20, 2014. This request, which included the same data, but for District 6A and several other counties, was provided to us April 19, 2014. Both times, a few cases from 2009 appeared in our sample. The earliest case we have in Halifax County is 8/26/09 and in Guilford County it is 9/18/11.

Both requests were customized statistical reports, which were completed by the Research and Planning team. The AOC had some initial concerns and questions about our request, the first being about multi-case scenarios. There are often multiple charges for a single defendant across numerous file numbers. The basic unit of recordkeeping for criminal proceedings is the case, and not the defendant. Therefore, it is difficult to establish definitively across multiple cases whether or not one is really dealing with the same person (unless they are consolidated for judgment in a single judgment of conviction). Multiple charges will arise from a single incident or a single course of conduct, though sometimes the underlying charges are completely unrelated. If the charges are initiated around the same time or disposed at the same time they may be recorded together. This concern was dispelled because we had volunteers and paid staff look at the Clerk's physical file and manually pull information about each of the cases. This process allowed the data collector to determine which cases were associated with a particular bond, to definitively determine which case was the lead case, and to cross reference the person's identity by name and date of birth.

The second concern was about the AOC technician's ability to develop a list of Class H felonies. Classes are a designator for a conviction type, rather than a charge type, so the ACIS system is not designed to pull data by Class of cases. The AOC technician included all felony cases in his first data extraction and then had to devise fields in an attempt to isolate the Class H felonies. He used the offense codes to cross reference the class of cases, and noted the Classes in a new field. A second field, "In Sample," indicated whether the Class H charge was the lead charge in the case.

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## DISCLAIMER FOR AOC DATA

These data are from the AOC's Automated Criminal and Infraction System (ACIS). These data are a snapshot in time and are subject to change from such factors as the sealing or expungement of records, corrections made to data entry, motions, appeals or other legal actions that may change the nature, status or outcome of a case, and other factors. Data maintained in ACIS are intended for management of caseloads, basic record-keeping, and general statistics. These data reveal nothing about the evidence presented or its weight or credibility, the reasons for or validity of factual or legal arguments or conclusions presented or made, or any other of the myriad circumstances relevant to the results of any particular case. Therefore, the data should not be used or represented to reflect on the merits of the facts or the outcomes of cases. For that and many analytic purposes, it would be inappropriate and misleading to use these data as a substitute for a review of actual case files and/or transcripts.

For those and other reasons, these data do not support conclusions or representations about conviction or similar rates.. "Case" data from ACIS reflect only the charges brought in a particular case. Charges against the same defendant arising out of the same incident or related incidents may be and often are brought in different cases. There may be, and often are, convictions of one or more charges in one or more cases involving a particular defendant, and dismissals or other dispositions of one or more charges in one or more other cases involving that defendant. Therefore, the data for any particular case do not reliably reveal whether or not there was a conviction, or how many convictions, against a defendant with respect to all charges that arose out of an incident or related incidents. For other reasons as well (including qualifications applicable to data for judge, prosecutor, and defense attorney identifiers), the user is specifically warned that these data in no way support conclusions or representations about conviction or similar rates, and that the Administrative Office of the Courts considers such conclusions or representations a misleading use of these data.

Other limitations and qualifications apply to these data.

No analysis of or conclusions drawn from these data may be attributed to the Administrative Office of the Courts, and any analysis or report shall include a prominent notice that the analysis is solely that of the person conducting the analysis and that neither the analysis nor any conclusions are accepted as accurate or endorsed by the Administrative Office of the Courts.

(Unverified extract) This extract is from the counties in districts 6B and 18. The extract is from the ACIS criminal database, all offense for any case key (CTYYYYYSEQNUM) filed after 2009-12-31, with a felony charge type, compiled on 2014-01-28.

The request was for just those felony cases in these district with a Class H felony charge and nothing above a class H felony. Class H is a conviction type not a charge type. The ACIS system was not designed to pulled data in the way specified. Therefore I pulled all felonies filed after 2009-12-31 not just the Class H felonies.

I did try to identify the cases of interest using two offense code edit tables used for data entry edit. This method is far from perfect, if fact the table as I used them don't always agree. I wouldn't depend on the two fields:

CLASS\_BASED\_ON\_CHARGE and IN\_SAMPLE

Honestly I didn't won't to include these fields, and telling you that you can do better than I, I still believe this. The reason I decided to include these batch calculated fields, is simple because I was afraid you might thing I was taking the easy way out. But now that I have made the effort you know I am sincere when I say you can do better.

**APPENDIX B**  
**Other Criminal Databases in North Carolina**

## **NCAWARE**

NCAWARE is the database that Magistrates, clerks, district attorneys, judges, law enforcement and probation officers use to create charging documents, like arrest warrants and magistrates' orders. The first time a person is charged with a crime, his or her identifying information is entered into NCAWARE. Thereafter, his or her data is stored in the system's "master person database." If he or she is ever charged again, the NCAWARE user can automatically populate the identifying information portions of the new charging document from the database rather than re-typing the defendant's information anew. Some of the entries in the master person database were imported from the magistrates' system or other legacy systems, while others have been created in NCAWARE.

NCAWARE includes race. However, there is no fixed protocol for determining a person's race. An officer who is preparing a draft charging document, or a magistrate who is reviewing it, would simply make his or her own decision about a person's race based on that person's appearance, self-reporting from the defendant, or the information on the defendant's driver's license. NCAWARE has only been in place for 3-5 years (less in Mecklenburg and not at all in Buncombe County), so this data will not go back very far nor is it consistent across the state.

We are not using this database a resource of pretrial release data, but the race and identifying information (on the physical forms we reviewed) was imported from this system to those forms automatically. The pretrial release conditions recorded in NCAWARE are done so haphazardly: if an adjustment is made to a defendant's bond, the adjustment itself is not recorded, so any modification completely supplants the original bond set by the Magistrate.

## **CJLEADS**

This is a statewide crime analysis system for district attorneys, the DMV, law enforcement, the Administrative Office of the Courts, and the SBI. There is no public access and NC-CRED was not given access to it for this study.

## **SBI**

Other studies in North Carolina have appealed to the SBI to provide printed criminal history reports for the subjects considered for the study. This process would provide a more consistent result and would be more reliable than the information from ACIS. However, Magistrates are not provided that type of global information when setting bonds, so this method is still not ideal in that we want to capture, to the best degree of accuracy possible, what Magistrates and Judges actually considered when setting pretrial release conditions.

**APPENDIX C**  
**Conditions of Release and Release Order**  
**AOC-CR-200, Rev. 12/12**

# STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice

☐ District ☐ Superior Court Division

## STATE VERSUS

Name And Address Of Defendant

## CONDITIONS OF RELEASE AND RELEASE ORDER

#

G.S. Chapter 15A, Art. 25, 26

Amount Of Bond

\$

Offenses And Additional File Numbers

☐ See Attachment

Location Of Court

☐ District ☐ Superior

Date

Time

☐ AM ☐ PM

To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear. You also may be arrested without a warrant if you violate any condition of release in this Order or in any document incorporated by reference.

The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.

☐ Your release is authorized upon execution of your: ☐ WRITTEN PROMISE to appear ☐ UNSECURED BOND in the amount shown above  
☐ CUSTODY RELEASE ☐ SECURED BOND in the amount shown above  
☐ HOUSE ARREST with ELECTRONIC MONITORING administered by (agency) \_\_\_\_\_ and the SECURED BOND above. You may leave your residence for the purpose(s) of: ☐ employment ☐ counseling ☐ course of study ☐ vocational training

☐ Your release is not authorized.  
☐ The defendant is required to provide (check all that apply) ☐ fingerprints under G.S. 15A-502(a1) or (a2). ☐ a DNA sample under G.S. 15A-266.3A. Prior to release, the defendant shall provide his/her (check all that apply) ☐ fingerprints. ☐ DNA sample.  
☐ The defendant has been ☐ (i) charged with a felony while on probation (complete AOC-CR-272, Side One). ☐ (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).  
☐ This Order is entered upon defendant's warrantless arrest for violation of conditions of release entered previously for the above-captioned case in the Order dated \_\_\_\_\_.  
☐ The defendant was arrested or surrendered after failing to appear as required under a prior release order.  
☐ This was the defendant's second or subsequent failure to appear in this case.  
☐ Your release is subject to the conditions as shown on the attached ☐ AOC-CR-270. ☐ Other: \_\_\_\_\_

Additional Information

Date

Signature Of Judicial Official

☐ Magistrate ☐ Deputy CSC ☐ Assistant CSC  
☐ Clerk Of Superior Court ☐ District Court Judge ☐ Superior Court Judge

## ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: ☐ produce him/her in Court as provided above.

☐ hold him/her ☐ as provided on the attached AOC-CR-272. ☐ for the following purpose: \_\_\_\_\_  
☐ [Check in all domestic violence and stalking cases covered by G.S. 15A-534.1(b)] produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (enter date and time 48 hours after time of arrest) \_\_\_\_\_, \_\_\_\_\_  
☐ AM ☐ PM produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility

Date

Signature Of Judicial Official

## WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Date

Signature Of Defendant

Signature Of Person Agreeing To Supervise Defendant

Name Of Person Agreeing To Supervise Defendant (Type Or Print)

Address Of Person Agreeing To Supervise Defendant

## DEFENDANT RELEASED ON BAIL

Date

Time

☐ AM ☐ PM

Signature Of Jailer



**CONDITIONS OF RELEASE MODIFICATIONS**

The Conditions of Release on the reverse are modified as follows:

| Modification | Date | Signature Of Judicial Official |
|--------------|------|--------------------------------|
|              |      |                                |
|              |      |                                |
|              |      |                                |
|              |      |                                |
|              |      |                                |
|              |      |                                |
|              |      |                                |
|              |      |                                |
|              |      |                                |
|              |      |                                |

**SUPPLEMENTAL ORDERS FOR COMMITMENT**

The defendant is next Ordered produced in Court as follows:

| Date | Time | Place | Purpose | Signature Of Judicial Official |
|------|------|-------|---------|--------------------------------|
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |
|      |      |       |         |                                |

**DEFENDANT RECEIVED BY DETENTION FACILITY**

| Date | Time | Signature Of Jailer |
|------|------|---------------------|
|      |      |                     |
|      |      |                     |
|      |      |                     |
|      |      |                     |

**DEFENDANT RELEASED FOR COURT APPEARANCE**

| Date | Time | Signature Of Jailer |
|------|------|---------------------|
|      |      |                     |
|      |      |                     |
|      |      |                     |
|      |      |                     |

**NOTE TO CUSTODIAN:** This form shall accompany the defendant to court for all appearances.

**APPENDIX D**  
**Written Determination of a Judicial Official**

**WRITTEN DETERMINATION OF A JUDICIAL OFFICIAL  
ON THE IMPOSITION OF A SECURED BOND**

State vs. \_\_\_\_\_

A SECURED BOND IS SET IN THE AMOUNT OF \$ \_\_\_\_\_.

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.

EXPLANATION OF FACTORS CONSIDERED (This section must be completed).

☐ Nature and circumstances of the offense(s) charged:

\_\_\_\_\_

☐ The weight of the evidence against the defendant:

\_\_\_\_\_

☐ The defendant's degree of intoxication and/or mental condition:

\_\_\_\_\_

☐ The defendant's employment status and history, and financial resources:

\_\_\_\_\_

☐ The defendant's character, family ties, and length of residence in the community:

\_\_\_\_\_

☐ The defendant's record of convictions (*attach a copy of any available record*):

\_\_\_\_\_

☐ The defendant's history of flight or failure to appear:

\_\_\_\_\_

☐ Any other evidence relevant to the issue of pretrial release (*e.g. any other factors that bear on the risk of nonappearance, injury to any person, destruction of evidence, subornation of perjury or intimidation of any potential witness*):

\_\_\_\_\_

A secured bond has been set in an amount higher than the recommended amount for the following extraordinary reasons:

\_\_\_\_\_  
\_\_\_\_\_

Signature of Judicial Official: \_\_\_\_\_

**APPENDIX E**  
**Halifax County Bond Policy**

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

HALIFAX COUNTY

JUDICIAL DISTRICT 6A

**TO: THE CLERK OF SUPERIOR COURT  
AND MAGISTRATES OF THE  
SIX-A JUDICIAL DISTRICT**

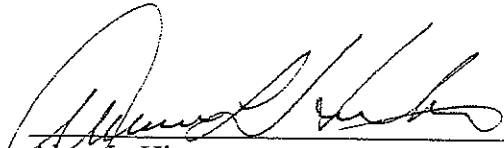
**ORDER**

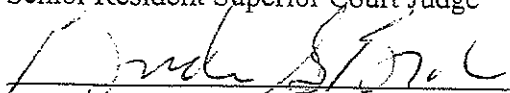
The undersigned Senior Resident Superior Court Judge and the Chief District Court Judge for this district, having met and formulated policies for pretrial release in accordance with G. S. § 15A-535, **HEREBY ORDER** that these attached policies be used to determine whether and upon what conditions a defendant may be released before trial in the Six-A Judicial District.

**IT IS ALSO ORDERED THAT**, notwithstanding the focus of these policies on instructions to magistrates, these policies are also applicable to all judicial officials holding office or presiding in this district except as otherwise provided by law.

**IT IS FURTHER ORDERED** that copies of the policies shall be distributed by the Clerk of Superior Court of Halifax County to all judicial officials of this district, to the Sheriff, to the local State Highway Patrol Commander, and to the Chiefs of Police of each police department in Halifax County. The Clerk of Superior Court shall also cause a copy of this Order to be kept on file with the courtroom clerk in all Courts of this district.

This 7 day of June, 2010.

  
Anna L. Hinton  
Senior Resident Superior Court Judge

  
Brenda G. Branch  
Chief District Court Judge

# PRETRIAL RELEASE POLICIES

## JUDICIAL DISTRICT 6A

### I. Introduction

Article 25 of Chapter 15A of the North Carolina General Statutes shall be followed by all judicial officials.

To this end, and pursuant to the mandate contained in G. S. 15A-535(a), the following recommended policies are adopted as a guide in determining conditions of pretrial release in Judicial District 6A.

**NOTE WELL:** Judicial officials are vested with discretion in the setting of conditions of pretrial release. Judicial officials are expected to use their discretion. The suggested bond amounts set forth on the attached "Pretrial Release Policy" are suggested ranges only. They are not mandatory and are not to be considered as limitations on judicial discretion.

### II. Purpose of Bail

The traditional purpose of bail is to assure the defendant's appearance in court. The purpose of the law on bail (G. S. 15A, Article 26) is to impose the least restrictive form of pretrial release that will reasonably assure the defendant's appearance in court, to end or to minimize policies calling for secured bonds in predetermined amounts in all cases charging certain offenses, and to vest the decision-making process as to the form of release and amount of bond in the judicial official who may know the most, or can most readily learn the most, about the defendant.

### **III. General Policy**

The Constitution of the United States (Amendment VIII) and North Carolina (Article I, Section 27) each state that “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 conditions of pretrial release in District 6A.

G. S. §15A-534(a) requires that (except in capital cases) one of the following four (4) conditions of pretrial release must be imposed:

- (1) release the defendant on a written promise to appear;
- (2) release the defendant upon execution of an unsecured appearance bond;
- (3) place the defendant in the custody of a designated person or organization agreeing to supervise him/her;
- (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.

The judicial official setting conditions of pretrial release may impose condition (4) if, and only if, one of the other three (3) conditions of pretrial release (a) will not reasonably assure the appearance of the defendant as required; (b) will pose a danger of injury to any person; or (c) is likely to result in destruction of evidence, subornation of perjury, or intimidation of potential witnesses. If condition (4) is imposed, the judicial official must record the reasons for so doing in writing. Other statutes apply in limited specific circumstances (See § III, B, *infra*).

### **IV. Forms of Pretrial Release**

#### **A. Written Promise to Appear**

A written promise to appear is the recommended form of pretrial release for defendants of sound mind, with strong ties to the State of North Carolina, and who are charged with a misdemeanor if the statutory criteria are predominantly favorable to the defendant, neutral or unknown.

A written promise to appear should not be used if there is any significant question as to whether it will reasonably assure the defendant's appearance as required.

### **B. Unsecured Bond**

An unsecured bond is a recommended form of pretrial release for defendants of sound mind if such release will reasonably assure the appearance as required 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 as required.

### **C. Supervised Custodial Release**

Placement in the custody of a sober and responsible person or organization is a recommended form of release if the accused 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 if the designated custodian agrees in writing to all terms and conditions of the custodial release.

If a judicial official finds a defendant is otherwise appropriate for a supervised custodial release but does not have proper identification, the defendant may still be released when the designated custodian produces proper identification of his/her own identity and positively identifies the defendant.



## **D. Secured Bond**

A defendant charged only with an offense which cannot result in incarceration should not be placed under a secured bond unless he or she has failed to appear or has absconded supervision.

## **V. Determining the Form of Pretrial Release**

In determining the form of pretrial release, judicial officials must take into account, based upon available information, the following criteria:

- (1) the nature and circumstances of the offense charged;
- (2) the weight of the evidence against the defendant;
- (3) the defendant's family ties;
- (4) the defendant's employment status and history;
- (5) the defendant's financial resources;
- (6) the defendant's character;
- (7) the defendant's mental condition;
- (8) the defendant's degree of intoxication and whether or not this would endanger the defendant if released without supervision;
- (9) the defendant's length of residence in the community;
- (10) the defendant's record of convictions, including whether the defendant is currently on probation;
- (11) the defendant's history of flight to avoid prosecution;
- (12) the defendant's history of failure to appear at court proceedings;

(13) any other evidence relevant to the issue of pretrial release (e.g. any other factors that bear on the risk of nonappearance, injury to any person, destruction of evidence, subornation of perjury, or intimidation of any potential witness).

#### **A. Failure to Appear**

The more serious the nature of the crime charged, the worse the prior criminal record of a defendant, the number and nature of other existing pending charges, the more aggravated the circumstances of the offense charged, and the greater the weight of the evidence against the defendant, the more likely he or she will not appear as required. A person properly charged with failure to appear or absconding probation supervision should be released only on a secured bond unless the judicial official is presented with clear and convincing evidence of justification.

A defendant who has no history of flight to avoid prosecution or unjustified failure to appear at court proceedings is more likely to appear as required. A defendant with strong ties to North Carolina and Halifax County is more likely to appear as required than a defendant with lesser ties. A person who has lived in the state, who has held lengthy employment in the state, and whose family and close friends have similar ties would have very strong ties to the state. A person with lesser ties but with strong reasons to be in the state on a regular, frequent and predictable basis for significant lengths of time could also have strong ties to the state.

When placing conditions of pretrial release on a defendant who has failed to appear on charges, the judicial official shall 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 set at a minimum of Five Hundred (\$500.00) Dollars. Other considerations should include:

- (1) the defendant's history of flight to avoid prosecution;
- (2) the defendant's history of appearing or failing to appear at court proceedings;
- (3) any statements made by the defendant to anyone concerning his intention to flee, to appear in court, to injure any person, to intimidate any witness, or to destroy any evidence; and
- (4) any other matters relevant to the issues of pretrial release including, but not limited to, any other factors bearing on the risk of nonappearance, injury to any person, destruction of evidence, subornation of perjury, or intimidation of any witness.

## **B. Other Statutes That Must Be Considered**

When selecting the form of pretrial release, North Carolina General Statutes provide specific instructions and restrictions for certain types of crimes. Judicial officials should be aware of these statutes and follow them when applicable.

### **(1) §15A-534.1: Crimes of Domestic Violence**

During the first forty-eight (48) hours of the time of arrest, only a District Court Judge or a Superior Court Judge may set conditions of release for a defendant and defendants should be brought before the first available session of District or Superior Court in the county. Immediately after the expiration of forty-eight (48) hours, a magistrate also may set the conditions of release but should consider additional conditions designed to provide protection and security for the prosecuting witness.

### **(2) §15A-534.2: Detention of Impaired Drivers**

A defendant charged with impaired driving has the right to pretrial release under G. S. §15A-534 when the judicial official determines either that:

(a) the defendant's physical and mental faculties are no longer impaired to the extent that he presents a danger of physical injury to himself or others or of damage to property; or

(b) a sober, responsible adult is willing and able to assume responsibility for the defendant until his physical and mental faculties are no longer impaired. If the defendant is released to the custody of another, the judicial official may impose any other condition of pretrial release authorized by G. S. §15A-534, including a requirement that the defendant execute a secured appearance bond.

(c) The defendant may be denied pretrial release under this section for a period of no longer than twenty-four (24) hours, but the written conditions under which he is to be released must be set in accordance with G. S. § 15A-534.

(d) In making the determination whether a defendant remains impaired, the judicial official may request that the defendant submit to periodic tests to determine his or her alcohol concentration. Unless there is evidence that the defendant is still impaired from a combination of alcohol and some other impairing substance or condition, a judicial official must determine that a defendant with an alcohol concentration less than 0.05 is no longer impaired.

(e) The other provisions related to the detention of impaired drivers in G. S. §15A-534.2 not set out above also should be complied with by said judicial official.

(3) §15A-534.3: Detention for Communicable Diseases

(4) Chapter 20 Offenses

Since portions of Interstate Highway No. 95 and U. S. Highway Nos. 158, 258 and 301 are located within Halifax County, there are many out-of-state operators who are charged locally with motor vehicle offenses. In cases involving infractions, no bond usually would be set

because of the reciprocal agreement between most states which would revoke the license of an individual who failed to appear in court or otherwise waived the right to appear for the infraction hearing.

As to motor vehicle offenses for speeding violations in excess of a waivable offense involving an out-of-state operator, a bond should be set at a minimal amount of about One Hundred (\$100.00) Dollars cash or a secured bond in the amount of approximately Five Hundred (\$500.00) Dollars. In cases involving out-of-state operators with Driving While Impaired (DWI), Driving While License Revoked (DWLR), and more serious motor vehicle charges, such as speeding to elude arrest and unlawful racing, a secured bond should be set. It is recommended that a bond in these cases be set in the amount of One Thousand (\$1,000.00) Dollars secured or Five Hundred (\$500.00) Dollars cash. Even in cases involving in-state residents who are charged with DWLR, if the record check of that individual indicates a large quantity of failures to appear on the record which resulted in the charge of DWLR or if the defendant has previous convictions of the same offense, then a secured bond in the same amount should be set for that in-state individual.

These recommendations as to various motor vehicle offenses are intended only for guidance since judicial officials are vested with discretion in making this decision in each case.

- (5) §15A-534.4: Sex Offenses and Crimes of Violence Against Child Victims
- (6) §15A-534.5: Detention to Protect Public Health
- (7) §15A-434.6: Bail in Cases of Manufacture of Methamphetamine
- (8) §15A-533 (d); Drug Trafficking
- (9) §15A, Article 37: Uniform Criminal Extradition Act

### **C. Imposing Other Restrictive Conditions**

A judicial official imposing one of the four (4) 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. Pretrial Staff, Day Reporting Center Staff). 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.

### **D. Drug Trafficking**

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 five (5) years has passed since the conviction (or release from prison for the offense, whichever is later);

then the person 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 [G.S. §15A-533(d)].

## **E. Gang Activity**

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.

## **F. Questions Regarding Identity**

If a defendant appears before a magistrate for an initial appearance and refuses to identify himself/herself, a magistrate should delay the initial appearance so that a law enforcement officer can investigate the defendant's identity. If a magistrate delays the initial appearance to allow such an investigation and the investigation is unsuccessful or cannot be done within twenty-four (24) hours, the magistrate should proceed with the initial appearance, taking into consideration the fact that a refusal to identify oneself indicates a flight risk. When a defendant refuses to identify himself/herself, a magistrate may set a bond outside the recommended guidelines. The magistrate shall note in the file the reason for the higher bond. The magistrate should include as a condition of pretrial release that the defendant adequately identify himself/herself to a judicial official. A reasonable form of identification may include written or unwritten identification such as a responsible person in the community who is willing to vouch for the defendant's identity. A magistrate may not require a defendant to produce a government-issued identification in exchange for pretrial release.

If a magistrate has reasonable doubt regarding the truth of a defendant's stated identity, the magistrate should take these doubts into account when setting conditions of pretrial release

and may set a bond above the upper limit of the recommended guidelines set out in these policies for the charged crime. The magistrate shall note in the file the reason for the higher bond.

## **G. Non-Resident ICE (Immigration and Customs Enforcement)**

### **Detainer**

A magistrate has no authority to hold a defendant simply because that person is not a U. S. Citizen. However, if a law enforcement agent informs a magistrate that an arrestee has an ICE Detainer in place, the magistrate may take that fact into consideration in setting conditions of pretrial release. Once the defendant has satisfied the pretrial release conditions set by the magistrate, the jailer must hold the defendant for up to forty-eight (48) hours so that ICE can take custody.

## **VI. Other Items**

### **A. Cash Bonds**

Any "cash" bond set by a judge continues to mean either cash money deposited and receipted by the magistrate or a "cash" bond posted by an authorized bail agent acting on behalf of a solvent surety (excepting child support contempt proceedings), unless the magistrate is presented with a valid Court order that:

- (1) contains Findings of Fact by the judge;
- (2) has one or more Conclusions of Law, one of which must indicate that accepting a security other than actual currency will not reasonably assure the appearance of the defendant; and
- (3) orders that a cash bond be set and the amount thereof be secured by U. S. currency in that face amount.



The magistrate is then required to enforce that Order by accepting **only cash money** on behalf of that defendant.

The above requirement for “cash” bonds does not apply to child support contempt proceedings. In this type of proceeding, **cash always means cash** and a bail agent may not secure a defendant’s release with a bail bond.

## **B. Magistrates**

Magistrates may not determine whether or upon what conditions a defendant charged with a capital offense may be released before trial pursuant to G. S. §15A-533.

Magistrates may not determine whether or upon what conditions a defendant charged with domestic violence as defined by G. S. §15A-534.1(a) may be released before trial, unless a judge has not done so within 48 hours of the defendant’s arrest (G.S. §15A-534.1). In this instance, a magistrate must make a determination as to imposition of pretrial release conditions.

If a magistrate is imposing conditions of release (1) – (3) [Written Promise to Appear, Custody Release, and Unsecured Bond], then no written findings need to be made pursuant to G. S. §15A-511. However, when magistrates impose a secured bond, they shall 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 6A-M1). This form shall be securely attached to and accompany the original release order form setting forth conditions of pretrial release which is forwarded to the District Court. This form should not be modified in any manner.

Magistrates should use the existing forms for Implied Consent Offense Notice (currently AOC-CR-271) and Detention of Impaired Driver (currently AOC-CR-270). Magistrates should also use the attached “Findings Supporting the Detention of an Impaired Driver G. S. §15A-534.2” Form 6A-M2. 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 6A-M1 and attach the record check relied upon in determining pretrial release form and conditions.

When making a determination as to the appropriate form of pretrial release, magistrates should always review a defendant’s history of convictions and failures to appear. When setting a secured bond, the conviction history results should be securely attached to the “Written Determination of a Judicial Official on the Imposition of a Secured Bond” Form 6A-M1.

Magistrates should encourage all Law Enforcement Officers to fill out the “Law Enforcement Officer Information” Form 6A-M3. 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.

## SUGGESTED SECURED BONDS

| TYPE OF OFFENSE        | MAXIMUM PUNISHMENT         | SUGGESTED SECURED BONDS   |
|------------------------|----------------------------|---|
| Local Ordinance        | \$50 Fine or 30 Days       | Written Promise   |
| Class 3 Misdemeanor    | 20 Days                    | Written Promise   |
| Class 2 Misdemeanor    | 60 Days                    | \$0 to \$500  |
| Class 1 Misdemeanor    | 120 Days                   | \$0 to \$1,000  |
| Class A1 Misdemeanor   | 150 Days                   | \$0 to \$2,000  |
| Driving While Impaired | 24 Months                  | \$0 to \$5,000  |
| Class I Felony         | 15 Months                  | \$1,000 to \$5,000  |
| Class H Felony         | 30 Months                  | \$1,000 to \$10,000   |
| Class G Felony         | 44 Months                  | \$2,500 to \$15,000   |
| Class F Felony         | 59 Months                  | \$2,500 to \$25,000   |
| Class E Felony         | 98 Months                  | \$5,000 to \$50,000   |
| Class D Felony*        | 229 Months                 | \$10,000 to \$150,000   |
| Class C Felony*        | 261 Months                 | \$15,000 to \$250,000   |
| Class B2 Felony*       | 480 Months                 | \$25,000 to \$500,000   |
| Class B1 Felony*       | Life Without Parole        | \$50,000 to \$1,000,000   |
| Class A Felony*        | Death, Life Without Parole | No Bond (unless set by judge)   |
| Habitual DWI*          | 59 Months                  | \$5,000 to \$50,000   |
| NC Probation Violation |                            | Set amount appropriate for underlying offense with consideration for the nature of any violations and any new charges |
| Fugitive Warrant       |                            |   |
| Governor's Warrant     |                            | No Bond   |
| Interstate Compact     |                            |   |
| Parole Warrant         |                            |   |

\* Each of these offenses carries a mandatory minimum active sentence

**WRITTEN DETERMINATION OF A JUDICIAL OFFICIAL  
ON THE IMPOSITION OF A SECURED BOND**

State vs. \_\_\_\_\_

A SECURED BOND IS SET IN THE AMOUNT OF \$\_\_\_\_\_.

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.

EXPLANATION OF FACTORS CONSIDERED (This section must be completed).

☐ Nature and circumstances of the offense(s) charged:

\_\_\_\_\_

☐ The weight of the evidence against the defendant:

\_\_\_\_\_

☐ The defendant's degree of intoxication and/or mental condition:

\_\_\_\_\_

☐ The defendant's employment status and history, and financial resources:

\_\_\_\_\_

☐ The defendant's character, family ties, and length of residence in the community:

\_\_\_\_\_

☐ The defendant's record of convictions (*attach a copy of any available record*):

\_\_\_\_\_

☐ The defendant's history of flight or failure to appear:

\_\_\_\_\_

☐ Any other evidence relevant to the issue of pretrial release (*e.g. any other factors that bear on the risk of nonappearance, injury to any person, destruction of evidence, subornation of perjury or intimidation of any potential witness*):

\_\_\_\_\_

A secured bond has been set in an amount higher than the recommended amount for the following extraordinary reasons:

\_\_\_\_\_

\_\_\_\_\_

Signature of Judicial Official: \_\_\_\_\_

IN THE MATTER OF:

FINDINGS SUPPORTING THE DETENTION  
OF AN IMPAIRED DRIVER [G.S. §15A-534.2]

Defendant

NORTH CAROLINA  
HALIFAX COUNTYIN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT – BEFORE THE MAGISTRATE☐ **DEFENDANT DETAINED FOR REASONS OTHER THAN IMPAIRMENT**

☐ The undersigned finds that the defendant named above was arrested on the date below for an offense involving impaired driving as defined in N.C.G.S. §20-4.01(24a). At the time of the defendant's initial appearance before me and from my observations as indicated below, there is clear and convincing evidence that the defendant's physical and/or mental faculties were so impaired that defendant's release would present a danger to himself/herself, to others or to property. Therefore, pursuant to N.C.G.S. §15A-534.2, I have ordered the detention of the defendant as an impaired driver until the conditions of N.C.G.S. §15A-534.2(c) have been met.

| MENTAL FACULTIES   | PHYSICAL FACULTIES  | OTHER FACTORS   |
|--|---|---|
| <p><b><u>STATE OF MIND</u></b><br/>Defendant's state of mind could be described as:</p> <p><input type="checkbox"/> Hostile and Argumentative<br/> <input type="checkbox"/> Belligerent<br/> <input type="checkbox"/> Aggressive<br/> <input type="checkbox"/> Combative<br/> <input type="checkbox"/> Anxious<br/> <input type="checkbox"/> Worried<br/> <input type="checkbox"/> Concerned<br/> <input type="checkbox"/> Ashamed<br/> <input type="checkbox"/> Frivolously Unconcerned<br/> <input type="checkbox"/> Unaware of Surroundings<br/> <input type="checkbox"/> Other: _____</p> <p><b><u>BEHAVIOR</u></b><br/>Defendant's behavior could be described as:</p> <p><input type="checkbox"/> Unruly<br/> <input type="checkbox"/> Disruptive<br/> <input type="checkbox"/> Shouting<br/> <input type="checkbox"/> Cursing<br/> <input type="checkbox"/> Screaming<br/> <input type="checkbox"/> Crying<br/> <input type="checkbox"/> Noisily Defiant<br/> <input type="checkbox"/> Threatening<br/> <input type="checkbox"/> Lethargic<br/> <input type="checkbox"/> Sluggish<br/> <input type="checkbox"/> Unconscious<br/> <input type="checkbox"/> Other: _____</p> <p><b><u>COMPREHENSION &amp; JUDGMENT</u></b><br/>Defendant is impaired to the extent that he/she</p> <p><input type="checkbox"/> is able   <input type="checkbox"/> may not be able   <input type="checkbox"/> is unable<br/>to understand the procedural rights afforded<br/>by this initial appearance <u>and</u><br/><input type="checkbox"/> is able   <input type="checkbox"/> may not be able   <input type="checkbox"/> is unable<br/>to have the capacity to make sound and<br/>reasonable decisions.</p> | <p><b><u>SPEECH</u></b><br/>Defendant's speech is:</p> <p><input type="checkbox"/> Slow<br/> <input type="checkbox"/> Confused<br/> <input type="checkbox"/> Thick-tongued<br/> <input type="checkbox"/> Slurred<br/> <input type="checkbox"/> Mumbled<br/> <input type="checkbox"/> Incomprehensible<br/> <input type="checkbox"/> Other: _____</p> <p><b><u>COORDINATION</u></b><br/>Defendant's coordination could be<br/>described as:</p> <p><input type="checkbox"/> Slow Body Movement<br/> <input type="checkbox"/> Unsteady on feet<br/> <input type="checkbox"/> Swaying<br/> <input type="checkbox"/> Stumbling<br/> <input type="checkbox"/> Falling<br/> <input type="checkbox"/> Cannot walk without support<br/>or assistance<br/> <input type="checkbox"/> Other: _____</p> <p><b><u>PHYSICAL APPEARANCE</u></b><br/>Defendant's physical appearance is<br/>characterized by having:</p> <p><input type="checkbox"/> Glassy eyes<br/> <input type="checkbox"/> Red eyes<br/> <input type="checkbox"/> Bloodshot eyes<br/> <input type="checkbox"/> Dilated pupils<br/> <input type="checkbox"/> Red/flushed face<br/> <input type="checkbox"/> A moderate odor of alcohol<br/> <input type="checkbox"/> A strong odor of alcohol<br/> <input type="checkbox"/> A very strong odor of<br/>alcohol<br/> <input type="checkbox"/> Other: _____</p> | <p><b><u>NATURE AND<br/>CIRCUMSTANCES OF OFFENSE<br/>CHARGED:</u></b></p> <p><b><u>AVAILABILITY OF A SOBER<br/>ADULT, 18 YEARS OR OLDER,<br/>WHO IS WILLING TO TAKE<br/>CUSTODY OF DEFENDANT:</u></b></p> <p><b><u>COMMENTS OF DEFENDANT:</u></b></p> |
| Date:  | Time:   | Magistrate:   |
|  | <input type="checkbox"/> A.M.<br><input type="checkbox"/> P.M.  |   |

PLEASE ATTACH ADDITIONAL SHEETS TO THIS FORM IF NEEDED

## 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):

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Cooperative                 | <input type="checkbox"/> Uncooperative | <input type="checkbox"/> Emotional/Distraught       |
| <input type="checkbox"/> Verbally Abusive            | <input type="checkbox"/> Combative     | <input type="checkbox"/> Confused                   |
| <input type="checkbox"/> Impaired (Alcohol or Drugs) |  | <input type="checkbox"/> Possible Mental Problems   |
| <input type="checkbox"/> Threatening Towards Victim  |  | <input type="checkbox"/> Threatening Towards Others |

**Defendant's Identity in Question Due To** (check all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> No Identification   | <input type="checkbox"/> Gave False Information to LEO  |
| <input type="checkbox"/> Defendant Using Alias(es)   | <input type="checkbox"/> Fake or Multiple IDs on Person |
| <input type="checkbox"/> 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):

- |   |  |
|---|--|
| <input type="checkbox"/> Prior History of Failing to Appear | <input type="checkbox"/> Prior History of Absconding |
| <input type="checkbox"/> Has no Ties to the Community       |  |

**Defendant's Criminal Status** (check all that apply):

- |  |
|--|
| <input type="checkbox"/> Has Prior History of Convictions for Similar Offenses |
| <input type="checkbox"/> Has Other Pending Charges                             |
| <input type="checkbox"/> Additional Charges May Be Forthcoming                 |

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

---

---



*State of North Carolina*  
*General Court of Justice*  
*64 District Court District*  
**HALIFAX COUNTY**

March 17, 2005

H. PAUL MCCOY, JR.  
CHIEF DISTRICT COURT JUDGE

W. TURNER STEPHENSON, III  
DISTRICT COURT JUDGE

357 FERRELL LANE  
POST OFFICE BOX 66  
HALIFAX, NC 27839  
TELE: 252/583-2910  
FAX: 252/583-0060

**MEMORANDUM**

**TO:** Halifax County Magistrates

**FROM:** H. Paul McCoy, Jr., Chief District Court Judge

**RE:** Bond Policy

You may recall that I sent a memo to Judge Cranford on February 19, 2002 after a meeting with all of you about changing the bond policy so that you did not have to complete the written forms when you were establishing a bond that was either an unsecured bond or one that was below \$3,000 secured.

Since that time the District Attorney's Office has encountered some problems with motions in court, particularly related to DWI cases when allegations are made that magistrates have not complied with G.S. 15A-534(b) and (c). Subsection (b) relates to written findings when a secured bond is required. Subsection (c) relates to making the inquiry when you make a decision about pretrial release, taking into consideration such things as the nature and the circumstances of the offense charged, the weight of the evidence against the defendant, his family ties in the community, his employment, financial resources, character, and mental condition, whether he is intoxicated to such a degree that he would be in danger by being released without supervision, the length of his residence in the community, his record of convictions, his history of flight to avoid prosecution for failure to appear at court proceedings, and any other relevant evidence that would apply to the issue of pretrial release.

You know that we have forms for you to use in making these written findings that generally have been provided to my office for filing once you have completed them.

As I said, recently the District Attorney's Office has had to fight with defense attorneys to prevent Judges from dismissing DWI cases, particularly wherein these provisions of the statute have not been complied with. I realize that under the memo I send you dated March 11, 2002, it was indicated to you that you were not required to use these forms for written findings any longer.

I met with Bill Graham and Teresa Robinson today. At the conclusion of our meeting, it was decided that I would send a memo to you, asking that in the future you would comply with 15A-534(b) and (c) at any time that you were going to require a secured bond, regardless of the amount. Of course, any time that you are going to allow someone to be released on an unsecured bond, you can continue to do as you have in the past and not complete these forms. When you do complete the forms for a secured bond, you need to attach that form to the release order that goes to the Clerk's Office so that it can be retained in the court file.

I regret requiring you to once again complete these forms, but if it will aid the District Attorney's Office in insuring that prosecutions of these cases will be protected from a dismissal, then I feel it is work that is well worthwhile being completed.

I should also remind you that if a defendant is awaiting release on bond and someone comes to the Magistrate's Office and has the cash to post the bond in full, then that person should be allowed access to the defendant and to post the bond so that the defendant can be released and on his way. I am sure each of you are following this procedure, but the District Attorney's Office asked that I be certain to remind you of it.

You will note that I am sending a copy of this memo to Judge Hinton so that she will know of my discussion with the District Attorney's Office, and what I am instructing you to do. I am not sure this will require any change in the bond policy as it is currently written, other than to allow you to dispense with completing these written forms at any time that you are allowing the defendant to be released on an unsecured bond.

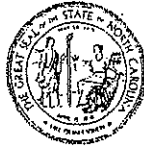
I hope that this memo is clear to you and if you have any questions about it, please contact me and we will discuss it so that we can be certain that everyone understands.

Thank you for your hard work and your continued cooperation with requests made by this office.

HPMcCJr/jg

cc: The Honorable Alma L. Hinton  
The Honorable William Graham





*State of North Carolina*  
*General Court of Justice*  
*6A District Court District*  
**HALIFAX COUNTY**

September 17, 2002

H. PAUL MCCOY, JR.  
CHIEF DISTRICT COURT JUDGE

ALMA L. HINTON  
DISTRICT COURT JUDGE

357 FERRELL LANE  
POST OFFICE BOX 66  
HALIFAX, NC 27839  
TELE: 252/583-2910  
FAX: 252/583-0060

**MEMORANDUM**

**TO: HALIFAX COUNTY MAGISTRATES**

**FROM: H. Paul McCoy, Jr., Chief District Court Judge** 

**RE: BONDS INVOLVING DOMESTIC ISSUES**

I am writing to each of you to call to your attention that when you set bonds in cases involving domestic violence issues that you place limitations on the contact that the defendant can have with the victim such as not assaulting or molesting the victim, not communicating with the victim in any way, and not going upon any premises occupied or leased by that victim. Perhaps you are already doing this, but if not, so that you will be in conformity with what I do at the time that I set bonds for these cases, you may want to begin to do so.

HPMcCJr/jg



*State of North Carolina*  
*General Court of Justice*  
*6A District Court District*  
**HALIFAX COUNTY**

H. PAUL MCCOY, JR.  
CHIEF DISTRICT COURT JUDGE


ALMA L. HINTON  
DISTRICT COURT JUDGE

357 FERRELL LANE  
POST OFFICE BOX 66  
HALIFAX, NC 27839  
TELE: 252/583-2910  
FAX: 252/583-0060

July 29, 2002

**MEMORANDUM**

**TO: HALIFAX COUNTY MAGISTRATES**

**FROM: The Honorable Alma L. Hinton, District Court Judge** 

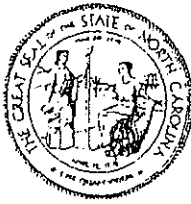
**SUBJECT: CASH ONLY BONDS**

It has come to my attention that when I issue an order for arrest and set a **"cash only"** bond some of the magistrates have been changing that to read a "cash" bond, leaving out the word only. The word only behind cash does have significance. It means that only cash is to be accepted, no bond. If a bail bondsman wants to stand that bond, he or she may do so with cash only. In short, **"cash only"** means just what it says. When a magistrate leaves out the word only when filling out a release order, it makes it very hard for the jail to determine the judge's intent. Please be sure that when an order for arrest says "cash only" you **do not** leave out the word only on the release order.

Magistrate Horton has expressed some confusion over this issue, and I wanted to send this memo to each of you to clear up any misconceptions that he or any other magistrates have.

I do not order **"cash only"** bonds often or lightly so when I do, it is with good cause and after a great deal of consideration. I would appreciate your careful assistance in seeing that my intent is carried out. Thank you for your consideration in this regard.

CC: The Honorable H. Paul McCoy, Jr.  
The Honorable Dwight L. Cranford  
The Honorable Becky Spragins



FILED

2002 MAY 23 AM 9:07

ADMINISTRATIVE OFFICE OF THE COURTS

JUSTICE BUILDING

WILSON COUNTY, O.S.C.

PO BOX 2448

RALEIGH, NC 27602

(919) 733-7107

JUDGE ROBERT H. HOBGOOD  
DIRECTOR

DAVID F. HOKE  
ASSISTANT DIRECTOR

107

THOMAS J. ANDREWS  
GENERAL COUNSEL  
(919) 713-4848  
(919) 715-5779 FAX  
TOM.ANDREWS@AOC.STATE.NC.US

May 20, 2002

To: Clerks of Superior Court  
Magistrates  
Jailers/Detention Officers

From: Thomas J. Andrews

Re: Conditions of Release and Release Order, AOC-CR-200, Rev. 3/02  
Appearance Bond For Pretrial Release, AOC-CR-201, Rev. 4/02

Attached are copies of these two revised forms.

I.

### UNSECURED BONDS AND CASH BONDS

*The provisions for an unsecured bond and for a cash bond have been removed from the Release Order, "Conditions of Release and Release Order, AOC-CR-200, Rev. 3/02!!" From now on the Appearance Bond form MUST BE USED for all Bonds, including Unsecured Appearance Bonds and Cash Appearance Bonds. The Release Order should still be used for a written promise to appear and for custody release.*

*Reasons.* More room is needed on the Release Order for provisions that are directly related to conditions of pretrial release: additional restrictions, additional information, and additional file numbers. Unsecured bonds and cash bonds belong on the Appearance Bond form, since they are still bonds (or undertakings in the wording of the statute), they involve monetary conditions that are completely and correctly expressed only on the Appearance Bond form, and they require a bond forfeiture to collect the money. When included in the Release Order form they have over the years invited confusion and legally incorrect completion.

### Completing Bond Forms

### UNSECURED BONDS

#### Steps.

Use the Appearance Bond For Pretrial Release, AOC-CR-201, Rev. 4/02. Complete the top as usual. Check the option for "Unsecured Appearance Bond." Have the defendant sign. That is all.

## II. MULTIPLE ACCOMMODATION BONDSMEN

Other changes to the "Appearance Bond For Pretrial Release," AOC-CR-201, Rev. 4/02, are designed to handle multiple accommodation bondsmen. The most noticeable is the creation of the new Page Two on which to list information about Additional Accommodation Bondsmen. On Page One, Side One, under Accommodation Bondsmen, a check block option has been added to incorporate Page Two when it is used. Also, at the top of Page One, Side One, the space for the amount of the bond has been subdivided so that you can enter both the total bond required and the amount of this bond, if they are different.

### What is an Accommodation Bondsman?

An accommodation bondsman is "a natural person who has reached the age of 18 years and is a bona fide resident of this State and who, aside from love and affection and release of the person concerned, receives no consideration for action as surety and who endorses the bail bond after providing satisfactory evidences of ownership, value, and marketability of real or personal property . . . sufficient to assure that the full principal sum of the bond will be realized in the event of breach of the conditions . . ." G.S. 15A-531(1); 58-71-1(1).

In short, accommodation members are family members, friends, employers, and other people not in the bail bond business, who act as sureties on a defendant's bond. Because they must provide satisfactory evidence of ownership of property (real or personal), the bonds they sign are often called "property bonds." An accommodation bondsman may provide evidence of ownership of property in many ways, and in an appropriate case may be required to execute a deed of trust to secure his or her obligation as surety on a bond.

### Multiple Accommodation Bondsmen – One Bond

Assume that a Release Order requires a \$100,000 secured bond. Assume that five individuals wish to co-sign one bond as sureties. Or assume a smaller bond with two individuals wishing to co-sign, but requiring the signature of the spouse of each of them as well, so that four individuals must sign.

*These situations call for using the new Page Two.*

Complete the top of the bond. Enter the same dollar figure both in the space for "Total Bond Required" and in the space for "Amount This Bond." Under "Accommodation Bondsmen," check the option for "See Page Two for additional accommodation bondsmen." Still under this heading on Page One, Side One, enter information about two of the individuals. Have those two sign here and notarize their signatures here. On Page Two, enter information about the remaining individuals. Have them sign there and notarize their signatures there.

### *What does this accomplish?*

It makes all the accommodation bondsmen jointly and severally liable for the entire amount of the bond. This means that if the defendant fails to appear and the bond is forfeited, the entire amount of the bond may be collected from any one of the accommodation bondsmen. If one of them

However, the practice of splitting bonds is well established in many districts. Perhaps so much so that it may be assumed that magistrates and judges who enter Release Orders have tacitly allowed bond splitting unless the Release Order specifies otherwise. If you have any doubt, consult your senior resident superior court judge and your chief district court judge for clarification

*NOTE: Bail agents(surety bondsmen) writing bonds for insurance companies MAY NOT split bonds. They may not "stack" powers of attorney. Standard language in the powers of attorney issued by all insurance companies provides that the insurance company's obligation on the bond is void if the bail agent uses the power of attorney in conjunction with another power of that company or of any other insurance company.*

Cc: Senior Resident Superior Court Judges  
Chief District Court Judges  
Hon. JoAnn Locklear, Chair, Forms Committee  
Hon. Robert Johnson, Chair, Subcommittee on Criminal Forms  
Hon. John M. Kennedy, Director, AOC  
Basil McVey  
Cynthia Easterling  
Court Services Analysts  
Nancy Kiesenhoﬀer  
Heather House  
JoAnn McCants, Esq.



State of North Carolina  
General Court of Justice  
CLERK OF SUPERIOR COURT

BECKY SPRAGINS, CLERK  
EX OFFICIO JUDGE OF PROBATE  
TELEPHONE (252)583-5061  
FAX: (252)583-1005

HALIFAX COUNTY  
PO BOX 66  
HALIFAX, NC 27839-0066

JUDGE THOMAS W. ROSS, DIRECTOR  
ADMINISTRATIVE OFFICE OF THE COURTS

DWIGHT L. CRANFORD  
RESIDENT JUDGE

MEMORANDUM

To: Magistrates  
From: Becky Spragins, Clerk of Superior Court  
Date: February 1, 2001  
Subject: Cash Appearance Bonds

Please be advised that if a cash bond is posted by the defendant the Appearance Bond should be checked on the front as a Cash Appearance Bond. However, if someone other than the defendant posts the cash bond the Appearance Bond should be checked as a Surety Appearance Bond. Enter that person's name and address under Accommodation Bondsman and fill in the information under "Complete If Cash Bond Posted" as you have in the past. Attached you will find a copy of an Appearance Bond for you to look at the Notes on Cash bonds on page two at the bottom.

Also, please be advised that you must attach the "pink" copy of the cash receipt to our copy of the Appearance Bond.

Thanking you in advance for your cooperation in this matter.

~~cc: Hon. H. Paul McCoy Jr.~~

Green to Person  
white w/ money  
yellow w/ book

# STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice

☐ District ☐ Superior Court Division

Name And Mailing Address Of Defendant

Social Security No.

Telephone No. Of Defendant

Total Bond Required

Amount Of This Bond

\$

\$

## APPEARANCE BOND FOR PRETRIAL RELEASE

G.S. 15A-531, 15A-534, 15A-544.2

Offenses And Additional File Numbers

- ☐ **Unsecured Appearance Bond** - I, the undersigned defendant, acknowledge that my personal representatives and I are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.
- ☐ **Cash Appearance Bond (See note on reverse side.)** - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above; and hereby deposit the cash identified below as security with the understanding that the deposit will be returned upon the Court's determination that the conditions of release have been performed, subject to the conditions of this Bond stated on the reverse side, and that it will be available to satisfy my obligations.
- ☐ **Surety Appearance Bond** - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.
- ☐ **(Professional bondsman, Surety bondsman and Runners)** - The "Affidavit" on the reverse side of this Bond is complete and true.
- ☐ **Cash Deposited By Surety (See note on reverse side.)** - We have deposited the cash identified below to secure our obligations as sureties on this bond with the understanding that the deposit will be returned to us upon the Court's determination that the conditions of pretrial release have been performed, and that it will NOT be available to satisfy defendant's obligations.

Date Of Execution Of Bond

Signature Of Defendant

### ACCOMMODATION BONDSMAN

- ☐ See Page Two for additional accommodation bondsman executing this bond

Name And Address Of Accommodation Bondsman

Name And Address Of Accommodation Bondsman

Social Security No.

Telephone No.

Social Security No.

Telephone No.

### PROFESSIONAL BONDSMAN

Name Of Bondsman

Name Of Runner, If Applicable

License No. Of Bondsman

License No. Of Runner

### INSURANCE COMPANY

Name Of Insurance Company

Name Of Bail Agent

Power Of Appointment No. Of Bail Agent As Registered In The Clerk's Office

License No. Of Bail Agent

### SIGNATURE

Signature Of Surety

Signature Of Surety

### SWORN AND SUBSCRIBED TO BEFORE ME

Date

Signature

### SWORN AND SUBSCRIBED TO BEFORE ME

Date

Signature

☐ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk of Superior Court

☐ Custodian Of Detention Facility [G.S. 15A-537(c)]

☐ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk of Superior Court

☐ Custodian Of Detention Facility [G.S. 15A-537(c)]

### COMPLETE IF CASH DEPOSITED

Signature Of Official Accepting Cash

Name Of Official Accepting Cash (Type Or Print)

Receipt No.

NOTE: If cash deposited, see note on reverse side.

**From:** Janie.A.Wardsworth@NCAOCISD  
**To:** Arthur.D.Mason, Cecilia.F.Sanford, Cynthia.D.Pitchford, David.R.Gurganus, John.S.Leach,  
Judy.K.Smith, Michelle.W.Rogers, Rebecca.A.Whitaker, Shirley.L.Webb-Owens,  
William.F.Johnson, William.T.Draper  
**Sent:** Thursday, 13 April 2006 9:02am ET  
**Subject:** SOCIAL SECURITY #'S & ANTI-THEFT LEGISLATION

DUE TO THE ANTI-THEFT LEGISLATION IN G.S. 132-1.10, OUR OFFICE IS CHANGING THE SITUATIONS IN WHICH WE ASK THAT SS NUMBERS BE COLLECTED AND SHOWN. YOU CAN PULL UP THIS GENERAL STATUTE ON THE WEB SITE AND READ IT.

WE HAVE BEEN INFORMED BY AOC THAT ALL FORMS HAVE BEEN REVIEWED FOR USE OF & NEED OF SS # & THEY ARE ELIMINATING IT WHERE NOT REQUIRED BY LAW OR FOR LEGITIMATE PURPOSES. IN SOME INSTANCES THE SS# HAS BEEN REDUCED TO THE LAST 4 DIGITS. WE DO NOT KNOW FOR SURE WHEN THESE NEW UPDATED FORMS WILL BE AVAILABLE. NEW FORMS WILL PROBABLY APPEAR ON THE WEB SITE BEFORE WE RECEIVE ANY SO YOU MAY CHECK THERE FROM TIME TO TIME.

FOR NOW, WE DO NOT NEED FOR YOU TO INCLUDE THE SS# ON THE MAGISTRATE RECEIPTS FOR CASH BONDS, ETC. WE STILL NEED THE CURRENT ADDRESS.

FURTHER INFORMATION WILL BE FORTHCOMING AS WE RECEIVE IT. THANKS FOR YOUR HELP.



## HALIFAX COUNTY CASH BOND INFORMATION

### IMPORTANT NOTICE TO PERSONS POSTING CASH BONDS

(Attach a copy of this form to the green receipt given to the person posting the bond and the original is to be attached to the clerk's copy of the bond.)

1. THIS IS A SERIOUS OBLIGATION!! YOU CAN LOSE THIS CASH BOND IF THE DEFENDANT FAILS TO APPEAR IN COURT AS REQUIRED. EVEN IF THE DEFENDANT APPEARS AND DISPOSES OF THE CASE, THE COURT MAY APPLY THE CASH BOND TO THE DEFENDANT'S FINE, COURT COSTS OR CHILD SUPPORT OBLIGATION UNLESS YOU SIGN THE BOND AS A SURETY AND OBTAIN A RECEIPT LISTING YOUR OWN NAME AND SOCIAL SECURITY NUMBER. YOU MAY STILL ALLOW THE BOND MONEY TO BE PAID TOWARD A FINE, COST OR CHILD SUPPORT EVEN IF YOUR NAME APPEARS ON THE RECEIPT, BUT YOU MUST APPEAR IN PERSON TO AUTHORIZE THE TRANSFER BY SIGNING AN AUTHORIZATION FORM, OR SEND A NOTARIZED STATEMENT AUTHORIZING THE PAYMENT.
2. KEEP YOUR RECEIPT. IT IS PROOF OF YOUR POSTING A CASH BOND.
3. A CASH BOND IS EFFECTIVE AND BINDING AND CANNOT BE REFUNDED UNTIL ENTRY OF JUDGMENT IN THE DISTRICT COURT FROM WHICH NO APPEAL IS TAKEN OR THE ENTRY OF JUDGMENT IN THE SUPERIOR COURT.

#### PROCEDURE FOR CASH BOND REFUND:

1. 10 DAYS AFTER ENTRY OF JUDGMENT, THE BOND REFUND PROCESS WILL BEGIN BY THE COURTROOM CLERK. A REFUND CANNOT BE MADE UNTIL THE 10 DAY APPEAL PERIOD HAS ENDED.
2. PERSON POSTING CASH BOND SHOULD HAVE FURNISHED FULL NAME, SOCIAL SECURITY NUMBER AND CURRENT MAILING ADDRESS.
3. CASH REFUNDS CANNOT BE GIVEN. AS SOON AFTER THE 10 DAY APPEAL PERIOD ENDS AS IS POSSIBLE, A REFUND CHECK WILL BE MAILED TO THE PERSON WHOSE NAME WAS SHOWN ON THE GREEN RECEIPT ON THE "RECEIVED OF" LINE.

I HAVE READ AND UNDERSTAND THE POLICY CONCERNING "REFUND OF CASH BOND."

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Posting Bond

\_\_\_\_\_  
Witness



*State of North Carolina  
General Court of Justice  
6th District Court District*

II. PAUL MCCOY, JR.  
CHIEF DISTRICT COURT JUDGE  
DWIGHT L. CRANFORD  
DISTRICT COURT JUDGE

HALIFAX COUNTY

P.O. Box 66  
HALIFAX, N.C. 27839  
Office (919) 583-2910

May 20, 1998

MEMORANDUM

TO: Halifax County Magistrates

FROM: II. Paul McCoy, Jr., Chief District Court Judge *HPM*

SUBJECT: DWLR Bonds

It has recently come to my attention that there is no uniformity among the magistrates with regard to the setting of bonds for cases involving DWLR. It is my understanding that some of you may be setting an unsecured bond for these type cases and my recommendation would be that you set a secured bond in any case involving driving while license revoked.

I realize that there is not a formal bond policy in this county but if one were set at my direction, I would suggest that DWLRs carry a secured bond in each case.

HPMcCJr/jg

**APPENDIX F**  
**Statistical Analysis Tables**



|       |              |             |             |             |              |              |
|-------|--------------|-------------|-------------|-------------|--------------|--------------|
|       | 26.83        | 100.00      | 100.00      | 0.00        | 33.33        | 30.88        |
| Total | 41<br>100.00 | 1<br>100.00 | 1<br>100.00 | 1<br>100.00 | 24<br>100.00 | 68<br>100.00 |

10 .  
11 . \*Q3  
12 . tab BOND\_POSTED\_\_Y\_N,miss

| BOND_POSTED__Y_N | Freq. | Percent | Cum.   |
|------------------|-------|---------|--------|
| N                | 8     | 7.41    | 7.41   |
| Y                | 26    | 24.07   | 31.48  |
|                  | 74    | 68.52   | 100.00 |
| Total            | 108   | 100.00  |        |

13 . tab BOND\_POSTED\_\_Y\_N

| BOND_POSTED__Y_N | Freq. | Percent | Cum.   |
|------------------|-------|---------|--------|
| N                | 26    | 26.00   | 26.00  |
| Y                | 74    | 74.00   | 100.00 |
| Total            | 100   | 100.00  |        |

14 .  
15 . \*Q4  
16 . tab DEFENDANT\_RACE BOND\_POSTED\_\_Y\_N,row

|                       |
|-----------------------|
| Key                   |
| <i>frequency</i>      |
| <i>row percentage</i> |

| DEFENDANT_RACE | BOND_POSTED__Y_N |             | Total         |
|----------------|------------------|-------------|---------------|
|                | N                | Y           |               |
| B              | 16<br>26.23      | 45<br>73.77 | 61<br>100.00  |
| H              | 0<br>0.00        | 1<br>100.00 | 1<br>100.00   |
| O              | 0<br>0.00        | 1<br>100.00 | 1<br>100.00   |
| U              | 0<br>0.00        | 1<br>100.00 | 1<br>100.00   |
| W              | 10<br>27.78      | 26<br>72.22 | 36<br>100.00  |
| Total          | 26<br>26.00      | 74<br>74.00 | 100<br>100.00 |

```
17 .
18 . *Q5
19 . tab magistrate MAG_BOND_TYPE
```

| magistrate | MAG_BOND_TYPE |     |     |       | Total |
|------------|---------------|-----|-----|-------|-------|
|            | CSH           | CUS | SEC | UNSEC |       |
| Bills      | 0             | 0   | 2   | 0     | 2     |
| Brady      | 0             | 0   | 6   | 1     | 7     |
| Brown      | 0             | 0   | 1   | 0     | 1     |
| Futrell    | 0             | 0   | 1   | 0     | 1     |
| Gurganus   | 0             | 0   | 1   | 0     | 1     |
| Johnson    | 0             | 1   | 5   | 0     | 6     |
| Mason      | 0             | 0   | 8   | 2     | 10    |
| Painter    | 0             | 0   | 1   | 0     | 1     |
| Phillips   | 1             | 0   | 2   | 1     | 4     |
| Pitchford  | 0             | 0   | 3   | 2     | 5     |
| Rogers     | 0             | 0   | 8   | 4     | 12    |
| SMITH      | 0             | 0   | 1   | 0     | 1     |
| Sanford    | 0             | 1   | 10  | 5     | 16    |
| Silver     | 0             | 0   | 9   | 5     | 14    |
| Smith      | 0             | 0   | 13  | 1     | 14    |
| Sweeney    | 0             | 0   | 2   | 0     | 2     |
| Whitaker   | 0             | 0   | 2   | 0     | 2     |
| Total      | 1             | 2   | 75  | 21    | 99    |

```
20 . gen mag_bond=real(MAG_BOND_AMOUNT)
    (7 missing values generated)
21 . tab magistrate, sum (mag_bond) mean
```

| magistrate | Summary of<br>mag_bond<br>Mean |
|------------|--------------------------------|
| Bills      | 30000                          |
| Brady      | 13285.714                      |
| Brown      | 10000                          |
| Everett    | 10000                          |
| Futrell    | 75000                          |
| Gurganus   | 50000                          |
| Johnson    | 7357.1429                      |
| Mason      | 18450                          |
| Painter    | 150000                         |
| Phillips   | 3750                           |
| Pitchford  | 5300                           |
| Rogers     | 25750                          |
| SMITH      | 10000                          |
| Sanford    | 10187.5                        |
| Silver     | 10892.857                      |
| Smith      | 26571.429                      |
| Sweeney    | 30000                          |
| Whitaker   | 15000                          |
| Total      | 18039.604                      |

```
22 .
23 . *Q6
24 . *BZ
25 . tab METHOD_OF_DISPOSITION if BOND_POSTED__Y_N=="N"
```

| METHOD_OF_D<br>ISPOSITION | Freq. | Percent | Cum.   |
|---------------------------|-------|---------|--------|
| JU                        | 8     | 30.77   | 30.77  |
| PO                        | 1     | 3.85    | 34.62  |
| SI                        | 12    | 46.15   | 80.77  |
| VD                        | 5     | 19.23   | 100.00 |
| Total                     | 26    | 100.00  |        |

```
26 . *HK
27 . tab disposition if BOND_POSTED__Y_N=="N"
```

| disposition | Freq. | Percent | Cum.   |
|-------------|-------|---------|--------|
| D           | 9     | 36.00   | 36.00  |
| O           | 1     | 4.00    | 40.00  |
| PG          | 1     | 4.00    | 44.00  |
| PGL         | 12    | 48.00   | 92.00  |
| PGM         | 2     | 8.00    | 100.00 |
| Total       | 25    | 100.00  |        |

```
28 .
29 . *Q7
30 . tab ATTORNEY_TYPE, sum (mag_bond) mean
```

| ATTORNEY_TY<br>PE | Summary of<br>mag_bond<br>Mean |
|-------------------|--------------------------------|
| A                 | 16881.25                       |
| R                 | 23593.75                       |
| W                 | 19750                          |
| Total             | 18070                          |

```
31 . tab ATTORNEY_TYPE BOND_POSTED__Y_N,row
```

|                       |
|-----------------------|
| Key                   |
| <i>frequency</i>      |
| <i>row percentage</i> |

| ATTORNEY_T<br>YPE | BOND_POSTED__Y_N |             | Total        |
|-------------------|------------------|-------------|--------------|
|                   | N                | Y           |              |
| A                 | 24<br>30.38      | 55<br>69.62 | 79<br>100.00 |
| R                 | 1<br>6.25        | 15<br>93.75 | 16<br>100.00 |
| W                 | 0<br>0.00        | 4<br>100.00 | 4<br>100.00  |
| Total             | 25<br>25.25      | 74<br>74.75 | 99<br>100.00 |

```
32 .
33 . *Q8
34 . tab BOND_POSTED__Y_N, sum (days_jail_) mean
```

| BOND_POSTED<br>__Y_N | Summary of<br>days_jail_<br>Mean |
|----------------------|----------------------------------|
| N                    | 222.36364                        |
| Y                    | 13.013699                        |
| Total                | 40.428571                        |

```
35 . *Race breakdown see below:
36 . *BLACK
37 . tab BOND_POSTED__Y_N if DEFENDANT_RACE=="B", sum (days_jail_) mean
```

| BOND_POSTED<br>__Y_N | Summary of<br>days_jail_<br>Mean |
|----------------------|----------------------------------|
| N                    | 303.33333                        |
| Y                    | 16.75                            |
| Total                | 51.14                            |

```
38 . *WHITE
39 . tab BOND_POSTED__Y_N if DEFENDANT_RACE=="W", sum (days_jail_) mean
```

| BOND_POSTED<br>__Y_N | Summary of<br>days_jail_<br>Mean |
|----------------------|----------------------------------|
| N                    | 125.2                            |
| Y                    | 8.1923077                        |
| Total                | 27.064516                        |

```
40 .
41 . *Q9
42 . tab ATTORNEY_TYPE if BOND_MODIFIED_AT_FA__Y_N=="Y" | BOND_MOD_AT_3RD_BOND_HRG__Y_N=="Y"
```

| ATTORNEY_TY<br>PE | Freq. | Percent | Cum.   |
|-------------------|-------|---------|--------|
| A                 | 9     | 81.82   | 81.82  |
| R                 | 2     | 18.18   | 100.00 |
| Total             | 11    | 100.00  |        |

```
43 . *black
44 . tab ATTORNEY_TYPE if DEFENDANT_RACE=="B" &(BOND_MODIFIED_AT_FA__Y_N=="Y" | BOND_MOD_AT_3RD_BOND_HRG__Y_N=="Y")
```

| ATTORNEY_TY<br>PE | Freq. | Percent | Cum.   |
|-------------------|-------|---------|--------|
| A                 | 8     | 100.00  | 100.00 |
| Total             | 8     | 100.00  |        |



```

45 .
46 . *white
47 . tab ATTORNEY_TYPE if DEFENDANT_RACE=="W" &(BOND_MODIFIED_AT_FA__Y_N=="Y" | BOND_MOD_AT_3R

```

| ATTORNEY_TY<br>PE | Freq. | Percent | Cum.   |
|-------------------|-------|---------|--------|
| A                 | 1     | 33.33   | 33.33  |
| R                 | 2     | 66.67   | 100.00 |
| Total             | 3     | 100.00  |        |

```

48 .
49 . gen male=0
50 . replace male=1 if DEFENDANT_SEX=="M"
    (88 real changes made)
51 . gen instate=0
52 . replace instate=1 if residency=="Y"
    (76 real changes made)
53 . tostring DEFENDANT_BIRTHDATE, replace
    DEFENDANT_BIRTHDATE was long now str8
54 . gen year=substr( DEFENDANT_BIRTHDATE,1,4)
55 . gen year1=real(year)
    (6 missing values generated)
56 . gen age=2014-year1
    (6 missing values generated)
57 . gen associated_cases=real(NUMBER_OF_ASSOCIATED_CASES)
    (7 missing values generated)
58 . *Q1
59 . sum mag_bond if black==1

```

| Variable | Obs | Mean     | Std. Dev. | Min | Max    |
|----------|-----|----------|-----------|-----|--------|
| mag_bond | 62  | 19709.68 | 26675.42  | 0   | 150000 |

```
60 . sum mag_bond if black==0
```

| Variable | Obs | Mean     | Std. Dev. | Min | Max    |
|----------|-----|----------|-----------|-----|--------|
| mag_bond | 39  | 15384.62 | 22697.22  | 0   | 100000 |

```

61 .
62 . regress mag_bond black

```

| Source   | SS         | df  | MS        | Number of obs = 101     |  |  |
|----------|------------|-----|-----------|-------------------------|--|--|
| Model    | 447836621  | 1   | 447836621 | F( 1, 99) = 0.70        |  |  |
| Residual | 6.2983e+10 | 99  | 636186919 | Prob > F = 0.4035       |  |  |
|          |            |     |           | R-squared = 0.0071      |  |  |
|          |            |     |           | Adj R-squared = -0.0030 |  |  |
| Total    | 6.3430e+10 | 100 | 634303416 | Root MSE = 25223        |  |  |

| mag_bond | Coef.    | Std. Err. | t    | P> t  | [95% Conf. Interval] |          |
|----------|----------|-----------|------|-------|----------------------|----------|
| black    | 4325.062 | 5154.955  | 0.84 | 0.403 | -5903.488            | 14553.61 |
| _cons    | 15384.62 | 4038.872  | 3.81 | 0.000 | 7370.618             | 23398.61 |

63 . regress mag\_bond black male instate age

| Source   | SS         | df | MS        | Number of obs = 100     |  |  |
|----------|------------|----|-----------|-------------------------|--|--|
| Model    | 1.4121e+09 | 4  | 353032088 | F( 4, 95) = 0.54        |  |  |
| Residual | 6.1846e+10 | 95 | 651015596 | Prob > F = 0.7050       |  |  |
|          |            |    |           | R-squared = 0.0223      |  |  |
|          |            |    |           | Adj R-squared = -0.0188 |  |  |
|          |            |    |           | Root MSE = 25515        |  |  |
| Total    | 6.3259e+10 | 99 | 638975859 |                         |  |  |

| mag_bond | Coef.     | Std. Err. | t     | P> t  | [95% Conf. Interval] |          |
|----------|-----------|-----------|-------|-------|----------------------|----------|
| black    | 4662.222  | 5433.958  | 0.86  | 0.393 | -6125.548            | 15449.99 |
| male     | -4128.812 | 7322.654  | -0.56 | 0.574 | -18666.12            | 10408.49 |
| instate  | 2141.338  | 6065.749  | 0.35  | 0.725 | -9900.697            | 14183.37 |
| age      | 318.9393  | 273.0212  | 1.17  | 0.246 | -223.0762            | 860.9548 |
| _cons    | 6918.53   | 11815.73  | 0.59  | 0.560 | -16538.65            | 30375.71 |

64 . regress mag\_bond black male instate age NUMBER\_OF\_TOTAL\_OFFENSE\_CODES associated\_cases

| Source   | SS         | df | MS         | Number of obs = 96     |  |  |
|----------|------------|----|------------|------------------------|--|--|
| Model    | 1.4691e+10 | 6  | 2.4484e+09 | F( 6, 89) = 4.57       |  |  |
| Residual | 4.7684e+10 | 89 | 535777759  | Prob > F = 0.0004      |  |  |
|          |            |    |            | R-squared = 0.2355     |  |  |
|          |            |    |            | Adj R-squared = 0.1840 |  |  |
|          |            |    |            | Root MSE = 23147       |  |  |
| Total    | 6.2375e+10 | 95 | 656577961  |                        |  |  |

| mag_bond     | Coef.     | Std. Err. | t     | P> t  | [95% Conf. Interval] |          |
|--------------|-----------|-----------|-------|-------|----------------------|----------|
| black        | 1935.76   | 5150.1    | 0.38  | 0.708 | -8297.38             | 12168.9  |
| male         | 6429.334  | 7667.207  | 0.84  | 0.404 | -8805.242            | 21663.91 |
| instate      | 1518.933  | 5853.897  | 0.26  | 0.796 | -10112.64            | 13150.5  |
| age          | 293.6006  | 252.119   | 1.16  | 0.247 | -207.3546            | 794.5558 |
| NUMBER_O~DES | 34.13488  | 10.0775   | 3.39  | 0.001 | 14.11109             | 54.15866 |
| associated~s | 841.8408  | 251.3257  | 3.35  | 0.001 | 342.462              | 1341.22  |
| _cons        | -3702.872 | 11603.4   | -0.32 | 0.750 | -26758.58            | 19352.83 |

65 . regress mag\_bond black male instate age NUMBER\_OF\_TOTAL\_OFFENSE\_CODES associated\_cases A  
> C A\_\_PRIOR\_M~ARRESTS PRIOR\_FTAS infractions traffic PRIOR\_CONVICTION\_SAME\_CHARGE PRIOR\_ARRE

| Source   | SS         | df | MS         | Number of obs = 96     |  |  |
|----------|------------|----|------------|------------------------|--|--|
| Model    | 2.3124e+10 | 15 | 1.5416e+09 | F( 15, 80) = 3.14      |  |  |
| Residual | 3.9251e+10 | 80 | 490634037  | Prob > F = 0.0005      |  |  |
|          |            |    |            | R-squared = 0.3707     |  |  |
|          |            |    |            | Adj R-squared = 0.2527 |  |  |
|          |            |    |            | Root MSE = 22150       |  |  |
| Total    | 6.2375e+10 | 95 | 656577961  |                        |  |  |

| mag_bond     | Coef.     | Std. Err. | t     | P> t  | [95% Conf. Interval] |          |
|--------------|-----------|-----------|-------|-------|----------------------|----------|
| black        | 1338.426  | 5277.807  | 0.25  | 0.800 | -9164.744            | 11841.6  |
| male         | 7614.653  | 7553.078  | 1.01  | 0.316 | -7416.451            | 22645.76 |
| instate      | 6491.893  | 6037.211  | 1.08  | 0.285 | -5522.539            | 18506.32 |
| age          | 71.85281  | 297.6265  | 0.24  | 0.810 | -520.4429            | 664.1485 |
| NUMBER_O~DES | 25.34311  | 10.3459   | 2.45  | 0.016 | 4.754099             | 45.93211 |
| associated~s | 830.0457  | 246.9156  | 3.36  | 0.001 | 338.6681             | 1321.423 |
| A__PRIOR_F~C | -287.0725 | 1756.489  | -0.16 | 0.871 | -3782.597            | 3208.452 |
| A__PRIOR_F~_ | 1802.309  | 1928.945  | 0.93  | 0.353 | -2036.413            | 5641.031 |
| A__PRIOR_M~C | -550.3103 | 644.6491  | -0.85 | 0.396 | -1833.203            | 732.5822 |
| A__PRIOR_M~S | -316.3478 | 710.3323  | -0.45 | 0.657 | -1729.954            | 1097.258 |
| PRIOR_FTAS   | 4193.908  | 1353.189  | 3.10  | 0.003 | 1500.977             | 6886.84  |
| infractions  | 5740.764  | 2747.62   | 2.09  | 0.040 | 272.8256             | 11208.7  |
| traffic      | -3000.247 | 5807.139  | -0.52 | 0.607 | -14556.82            | 8556.328 |
| PRIOR_CONV~E | 924.0987  | 1820.471  | 0.51  | 0.613 | -2698.754            | 4546.952 |

|              |           |          |       |       |           |          |
|--------------|-----------|----------|-------|-------|-----------|----------|
| PRIOR_ARRE~E | 1016.899  | 1381.786 | 0.74  | 0.464 | -1732.942 | 3766.739 |
| _cons        | -5064.546 | 11738.05 | -0.43 | 0.667 | -28424.01 | 18294.92 |

**APPENDIX G**  
**Pretrial Release Halifax County Data**

## Halifax County Pre-Trial Release Data

| PTSC | RES   | SEX | RACE | ATT<br>TYPE | AC | TOF<br>OC | BP? Y/N | METH<br>OF<br>PB | BOND<br>AMOUNT | BOND<br>TYPE | DTS | PRIOR<br>FC | PRIOR<br>FA | PRIOR<br>MC | PRIOR<br>MA | PRIOR<br>FTAS | INFRAC<br>TI<br>ONS | TRAF<br>SC | PC<br>SC | PA<br>SC |
|------|-------|-----|------|-------------|----|-----------|---------|------------------|----------------|--------------|-----|-------------|-------------|-------------|-------------|---------------|---------------------|------------|----------|----------|
| 1    | Y     | M   | B    | A           | 2  | 6         | Y       | PB               | 3000           | SEC          | D   | 4           | 1           | 18          | 2           | 2             | 0                   | 1          | 9        | 3        |
| 2    | Y     | M   | B    | A           | 1  | 3         | N       |                  | 5000           | CSH          | D   | 1           | 1           | 4           | 3           | 0             | 0                   | 1          | 3        | 0        |
| 3    | Y     | M   | B    | R           | 3  | 6         | Y       | PB               | 50000          | SEC          | D   | 0           | 2           | 2           | 3           | 0             | 1                   | 0          | 0        | 1        |
| 4    | Y     | M   | W    | A           | 1  | 5         | Y       | IND              | 2500           | SEC          | D   | 2           | 1           | 6           | 14          | 0             | 0                   | 0          | 1        | 1        |
| 8    | NR/DL | M   | W    | A           | 1  | 3         | Y       | PB               | 2000           | SEC          | D   | 0           | 1           | 10          | 6           | 0             | 1                   | 4          | 0        | 0        |
| 9    | Y     | M   | B    | A           | 1  | 3         | Y       | PB               | 4000           | SEC          | D   | 0           | 0           | 0           | 2           | 0             | 0                   | 0          | 0        | 0        |
| 10   | NR/DL | M   | B    | A           | 2  | 3         | Y       |                  | 20000          | SEC          | TG  | 2           | 6           | 9           | 3           | 0             | 0                   | 0          | 3        | 2        |
| 12   | NR/DL | M   | B    | A           | 3  | 6         | Y       | PROP             | 10000          | SEC          | D   | 0           | 0           | 10          | 3           | 0             | 0                   | 0          | 0        | 0        |
| 13   | Y     | F   | B    | A           | 8  | 9         | Y       | IND              | 15000          | SEC          | D   | 0           | 0           | 0           | 0           | 0             | 0                   | 0          | 0        | 0        |
| 16   | Y     | M   | W    | W           | 1  | 4         | Y       | PB               | 20000          | SEC          | TG  | 1           | 2           | 3           | 2           | 1             | 0                   | 0          | 1        | 0        |
| 18   | Y     | M   | B    | A           | 0  | 1         | Y       | PB               | 1,000          | SEC          | D   | 0           | 1           | 1           | 0           | 0             | 0                   | 0          | 0        | 0        |
| 19   | N     | F   | B    | A           | 35 | 30        | Y       | INS              | 5000           | SEC          | D   | 0           | 0           | 3           | 1           | 0             | 0                   | 0          | 0        | 0        |
| 22   | Y     | M   | W    | A           | 2  | 6         | Y       | UNSEC            | 10,000         | UNSEC        | PGM | 2           | 3           | 6           | 0           | 0             | 0                   | 0          | 1        | 7        |
| 23   | NR/DL | F   | B    | R           | 0  | 3         | Y       | PB               | 2500           | SEC          | PGL | 0           | 0           | 1           | 9           | 3             | 1                   | 0          | 0        | 0        |
| 25   | Y     | M   | W    | R           | 0  | 1         | Y       | UNSEC            | 5000           | UNSEC        | D   | 0           | 2           | 10          | 9           | 0             | 0                   | 0          | 0        | 0        |
| 26   | N     | M   | B    | R           | 0  | 3         | Y       |                  | 5000           | SEC          | PGL | 0           | 0           | 1           | 6           | 0             | 0                   | 0          | 0        | 0        |
| 27   | Y     | M   | B    | A           | 2  | 2         | Y       | UNSEC            | 5000           | UNSEC        | D   | 0           | 1           | 1           | 5           | 0             | 0                   | 0          | 0        | 0        |
| 28   | Y     | M   | W    | A           | 0  | 4         | N       |                  | 10000          | SEC          | PGL | 0           | 0           | 0           | 0           | 0             | 0                   | 0          | 0        | 0        |
| 29   | Y     | M   | B    | A           | 0  | 3         | N       |                  | 50,000         | SEC          | PGL | 0           | 2           | 1           | 1           | 0             | 0                   | 0          | 0        | 0        |
| 30   | Y     | M   | W    | A           | 1  | 5         | Y       | IND              | 5000           | SEC          | D   | 0           | 0           | 1           | 5           | 0             | 1                   | 0          | 0        | 0        |
| 32   | NR/DL | M   | B    | A           | 1  | 4         | Y       | PB               | 5000           | SEC          | D   | 0           | 0           | 1           | 0           | 0             | 0                   | 0          | 0        | 0        |
| 33   | Y     | M   | O    | R           | 2  | 3         | Y       | UNSEC            | 4,000          | UNSEC        | D   | 0           | 0           | 2           | 1           | 0             | 2                   | 0          | 0        | 0        |
| 34   | Y     | M   | B    | A           | 1  | 3         | N       |                  | 15000          | SEC          | D   | 9           | 4           | 10          | 11          | 0             | 0                   | 0          | 1        | 4        |
| 37   | Y     | M   | W    | A           | 5  | 5         | N       |                  | 50000          | SEC          | D   | 0           | 3           | 10          | 1           | 0             | 0                   | 0          | 0        | 1        |
| 38   | Y     | M   | W    | A           | 3  | 8         | Y       | UNSEC            | 15000          | UNSEC        | D   | 3           | 2           | 7           | 1           | 0             | 0                   | 0          | 3        | 1        |
| 39   | Y     | F   | B    | A           | 1  | 5         | Y       | UNSEC            | 15,000         | UNSEC        | D   | 1           | 0           | 1           | 1           | 0             | 0                   | 0          | 0        | 0        |
| 42   | Y     | M   | B    | A           | 14 | 26        | N       |                  | 52000          | SEC          | PGL | 2           | 3           | 13          | 4           | 0             | 0                   | 0          | 0        | 0        |
| 44   | Y     | M   | B    | A           | 0  | 3         | Y       | UNSEC            | 2500           | SEC          | D   | 2           | 3           | 1           | 2           | 0             | 0                   | 0          | 1        | 0        |
| 45   | Y     | F   | W    | A           | 0  | 3         | Y       | CUS              | 0              | CUS          | PGM | 0           | 0           | 0           | 0           | 0             | 0                   | 0          | 0        | 0        |
| 46   | Y     | F   | W    | R           | 3  | 3         | Y       | UNSEC            | 5000           | UNSEC        | D   | 0           | 0           | 0           | 0           | 0             | 0                   | 0          | 0        | 0        |
| 47   | R/FL  | M   | B    | A           | 2  | 3         | Y       | UNSEC            | 20000          | UNSEC        | PGL | 1           | 1           | 6           | 4           | 0             | 1                   | 0          | 0        | 0        |
| 49   | Y     | M   | W    | A           | 0  | 3         | N       |                  | 10,000         | SEC          | PGL | 0           | 0           | 1           | 0           | 0             | 0                   | 0          | 0        | 0        |
| 51   | Y     | M   | W    | A           | 40 | 35        | N       |                  | 100000         | SEC          | PG  | 0           | 0           | 1           | 0           | 0             | 0                   | 0          | 0        | 0        |

# Halifax County Pre-Trial Release Data

| PTSC | RES   | SEX | RACE | ATT<br>TYPE | AC | TOT OC | BP? Y/N | METHD OF<br>PB | BOND AMOUNT | BOND TYPE | DIS | PRIOR<br>FC | PRIOR<br>FA | PRIOR<br>MC | PRIOR<br>MA | PRIOR<br>ETAs | INFRAC TI<br>ONS | TRAF | PC<br>SC | PA<br>SC |
|------|-------|-----|------|-------------|----|--------|---------|----------------|-------------|-----------|-----|-------------|-------------|-------------|-------------|---------------|------------------|------|----------|----------|
| 52   | Y     | F   | W    | A           | 1  | 5      | Y       | UNSEC          | 10000       | UNSEC     | D   | 0           | 0           | 0           | 1           | 0             | 0                | 0    | 0        | 0        |
| 54   | Y     | M   | W    | A           | 0  | 3      | N       |                | 15000       | SEC       | PGL | 0           | 1           | 5           | 5           | 1             | 0                | 0    | 0        | 0        |
| 55   | Y     | M   | W    | A           | 1  | 4      | Y       | IND            | 11,000      | SEC       | D   | 0           | 2           | 6           | 6           | 0             | 2                | 0    | 0        | 0        |
| 57   | Y     | M   | W    | R           | 1  | 2      |         |                | 1500        |           | PGM | 1           | 0           | 9           | 0           | 0             | 0                | 0    | 0        | 0        |
| 58   | NR/DL | M   | B    | A           | 6  |        | Y       |                | 2500        | SEC       | PGL | 0           | 1           | 1           | 1           | 0             | 0                | 0    | 0        | 0        |
| 60   | Y     | M   | W    | A           | 2  | 4      | N       |                | 500         | UNSEC     | O   | 1           | 1           | 7           | 6           | 0             | 0                | 0    | 0        | 0        |
| 62   | Y     | M   | B    | A           | 21 | 30     | Y       | PB             | 10000       | SEC       | D   | 0           | 0           | 1           | 0           | 0             | 0                | 0    | 0        | 0        |
| 65   | NR/DL | M   | B    | A           | 0  | 3      | N       |                | 20000       | SEC       | D   | 0           | 3           | 1           | 6           | 2             | 0                | 0    | 0        | 0        |
| 67   | Y     | M   | B    | R           | 1  | 5      | Y       | PB             | 50000       | SEC       | D   | 3           | 5           | 9           | 21          | 1             | 1                | 0    | 4        | 7        |
| 68   | Y     | M   | B    | A           | 8  | 17     | N       |                | 55,000      | SEC       | PGL | 2           | 3           | 8           | 3           | 0             | 0                | 0    | 7        | 14       |
| 69   | Y     | M   | B    | R           | 2  | 8      | Y       | IND            | 8000        | SEC       | PGL | 0           | 1           | 3           | 1           | 0             | 0                | 0    | 0        | 0        |
| 72   | NR/DL | F   | B    | R           | 4  | 5      | Y       | PB             | 75000       | SEC       | D   | 0           | 0           | 6           | 1           | 0             | 2                | 0    | 0        | 0        |
| 73   | Y     | M   | W    | A           | 1  | 4      | Y       | INS            | 30,000      | SEC       | D   | 0           | 4           | 10          | 8           | 0             | 1                | 0    | 0        | 3        |
| 74   | NR/DL | M   | B    | A           | 1  | 4      | Y       | PB             | 30,000      | SEC       | D   | 0           | 0           | 1           | 0           | 0             | 4                | 0    | 0        | 0        |
| 76   | NR/DL | M   | B    | A           | 0  | 1      | Y       | UNSEC          | 5000        | UNSEC     | D   | 0           | 1           | 0           | 0           | 0             | 0                | 0    | 0        | 0        |
| 78   | Y     | M   | B    | A           | 0  |        | Y       | PB             | 500         | SEC       | D   | 1           | 0           | 1           | 1           | 0             | 0                | 0    | 0        | 1        |
| 79   | Y     | M   | W    | A           | 6  | 16     | Y       | IND            | 10000       | SEC       | D   | 0           | 1           | 2           | 4           | 0             | 0                | 0    | 0        | 1        |
| 81   | Y     | M   | B    | A           | 9  | 9      | Y       | PB             | 25000       | SEC       | D   | 0           | 0           | 0           | 1           | 0             | 0                | 0    | 0        | 0        |
| 82   | Y     | M   | W    | A           | 5  | 7      | Y       | IND            | 5,000       | SEC       |     | 0           | 0           | 5           | 2           | 2             | 3                | 0    | 1        | 1        |
| 83   | Y     | M   | W    | R           | 1  | 4      | Y       | IND            | 30,000      | SEC       | PGL | 0           | 0           | 2           | 2           | 1             | 0                | 0    | 0        | 0        |
| 84   | NR/DL | M   | B    | W           | 0  | 2      | Y       | PB             | 4000        | SEC       | D   | 1           | 5           | 22          | 10          | 14            | 0                | 0    | 0        | 4        |
| 86   | Y     | M   | B    | A           | 0  | 4      | Y       |                | 6000        | SEC       | PGL | 2           | 5           | 7           | 6           | 0             | 0                | 0    | 0        | 0        |
| 87   | Y     | F   | B    | A           | 56 | 57     | Y       | UNSEC          | 50000       | UNSEC     | O   | 0           | 0           | 2           | 1           | 0             | 0                | 0    | 0        | 0        |
| 88   | Y     | M   | B    | A           | 2  | 3      | N       |                | 10000       | SEC       | PGL | 4           | 5           | 2           | 6           | 1             | 0                | 0    | 0        | 0        |
| 89   | N     | M   | B    | A           | 0  | 3      | Y       | UNSEC          | 12000       | UNSEC     | PGL | 0           | 1           | 4           | 1           | 0             | 0                | 0    | 0        | 0        |
| 90   | Y     | M   | W    | A           | 11 | 9      | Y       | PB             | 15000       | SEC       | PGL | 6           | 0           | 9           | 4           | 0             | 0                | 0    | 0        | 0        |
| 91   | Y     | M   | B    | R           | 0  | 3      | Y       | UNSEC          | 5000        | UNSEC     | D   | 0           | 0           | 3           | 0           | 0             | 0                | 0    | 0        | 0        |
| 92   | Y     | M   | B    | A           | 12 | 3      |         |                | 150000      | SEC       | D   | 2           | 1           | 14          | 10          | 12            | 0                | 0    | 2        | 1        |
| 94   | Y     | F   | H    | A           | 0  | 1      | Y       | UNSEC          | 1000        | UNSEC     |     | 0           | 2           | 0           | 0           | 0             | 0                | 0    | 0        | 0        |
| 96   | NR/DL | F   | B    | R           | 62 | 153    | Y       | PB             | 10000       | SEC       | D   | 0           | 0           | 1           | 2           | 0             | 2                | 0    | 0        | 0        |
| 97   | Y     | M   | B    | A           | 1  | 4      | N       |                | 10000       | SEC       | PGL | 1           | 5           | 25          | 5           | 0             | 0                | 0    | 9        | 4        |
| 98   | Y     | M   | B    | A           | 2  | 3      | Y       | PB             | 15000       | SEC       | D   | 2           | 1           | 20          | 12          | 0             | 4                | 0    | 0        | 0        |
| 99   | N     | M   | B    | A           | 0  | 3      | N       |                | 50000       | SEC       | PGL | 0           | 0           | 1           | 2           | 0             | 0                | 0    | 0        | 0        |

# Halifax County Pre-Trial Release Data

| PTSC | RES   | SEX | RACE | ATT<br>TYPE | AC | TOT OC | BP? Y/N | METHD OF<br>PB | BOND AMOUNT | BOND TYPE | DIS | PRIOR<br>FC | PRIOR<br>FA | PRIOR<br>MC | PRIOR<br>MA | PRIOR<br>FTAS | INFRAC TI<br>ONS | TRAF<br>SC | PC<br>SC | PA<br>SC |
|------|-------|-----|------|-------------|----|--------|---------|----------------|-------------|-----------|-----|-------------|-------------|-------------|-------------|---------------|------------------|------------|----------|----------|
| 102  | NR/DL | M   | B    | A           | 0  | 1      | Y       | INS            | 2500        | SEC       | PG  | 3           | 2           | 16          | 12          | 3             | 0                | 0          | 0        | 0        |
| 104  | Y     | M   | W    | R           | 2  | 3      | Y       | PB             | 25000       | SEC       | D   | 0           | 2           | 5           | 4           | 1             | 0                | 0          | 0        | 1        |
| 105  | Y     | M   | B    | A           | 0  | 2      | N       |                | 50000       | SEC       |     | 2           | 2           | 6           | 3           | 0             | 0                | 0          | 2        | 3        |
| 106  | Y     | M   | B    | A           | 0  | 2      | Y       | PB             | 8000        | SEC       | D   | 2           | 1           | 8           | 5           | 0             | 0                | 0          | 0        | 0        |
| 107  | Y     | M   | W    | A           | 0  | 2      | Y       | UNSEC          | 5000        | UNSEC     | D   | 6           | 1           | 9           | 5           | 0             | 0                | 0          | 1        | 3        |
| 109  | Y     | M   | W    | A           | 0  | 1      | N       |                | 2500        | SEC       | D   | 0           | 0           | 5           | 1           | 0             | 0                | 0          | 0        | 0        |
| 111  | Y     | M   | B    | W           | 0  | 3      | Y       | PB             | 50000       | SEC       | D   | 2           | 4           | 5           | 3           | 0             | 0                | 0          | 0        | 0        |
| 114  | Y     | M   | B    | A           | 0  | 3      | Y       | UNSEC          | 15000       | UNSEC     | PGL | 0           | 0           | 1           | 2           | 0             | 0                | 0          | 0        | 0        |
| 116  | Y     | M   | B    | A           | 0  | 3      | N       |                | 10000       | SEC       | PGL | 4           | 1           | 6           | 2           | 0             | 0                | 0          | 5        | 3        |
| 119  | Y     | M   | B    | A           | 2  | 1      | N       |                | 20000       | SEC       | D   | 2           | 3           | 3           | 5           | 0             | 0                | 0          | 2        | 0        |
| 120  | Y     | M   | B    | A           | 2  | 3      | Y       | PB             | 5000        | SEC       | D   | 0           | 1           | 5           | 8           | 0             | 0                | 0          | 0        | 0        |
| 122  | Y     | F   | B    | A           | 21 | 1      | Y       | PB             | 2500        | SEC       |     | 0           | 1           | 3           | 3           | 1             | 0                | 0          | 0        | 0        |
| 124  | NR/DL | M   | B    | R           | 1  | 2      | N       |                | 1500        | SEC       | PGM | 0           | 1           | 2           | 1           | 2             | 1                | 0          | 0        | 0        |
| 125  | Y     | M   | W    | W           | 0  | 3      | Y       | IND            | 5000        | UNSEC     |     | 0           | 1           | 3           | 7           | 0             | 0                | 0          | 0        | 0        |
| 126  | Y     | M   | W    | A           | 0  | 2      | N       |                | 5000        | SEC       | PGM | 0           | 1           | 6           | 6           | 2             | 0                | 0          | 0        | 0        |
| 128  | N     | M   | W    | A           | 6* | 3      | N       |                | 30000       | SEC       | D   | 6           | 2           | 10          | 7           | 2             | 0                | 0          | 7        | 15       |
| 130  | Y     | M   | B    | A           | 0  | 2      | Y       | CUS            | 0           | CUS       | D   | 0           | 0           | 0           | 0           | 0             | 0                | 0          | 0        | 0        |
| 133  | Y     | M   | B    | A           | 0  | 3      | N       |                | 10,000      | SEC       | D   | 4           | 4           | 2           | 6           | 1             | 0                | 0          | 0        | 0        |
| 134  | N     | M   | B    | A           | 0  | 3      | Y       | PB             | 10000       | SEC       | D   | 2           | 1           | 12          | 9           | 2             | 0                | 0          | 1        | 0        |
| 136  | Y     | M   | B    | A           | 9  | 3      | Y       | PB             | 10000       | SEC       | PGL | 0           | 0           | 0           | 0           | 0             | 0                | 0          | 0        | 0        |
| 137  | N     | F   | U    | A           | 5  |        | Y       | PB             | 5000        | SEC       | PGL | 0           | 0           | 0           | 0           | 0             | 0                | 0          | 0        | 0        |
| 138  | Y     | M   | W    | A           | 0  | 4      | Y       | IND            | 7500        | SEC       | PGL | 1           | 1           | 5           | 13          | 0             | 0                | 0          | 0        | 0        |
| 139  | Y     | M   | B    | A           | 1  | 3      | Y       | PB             | 8000        | SEC       | PGL | 0           | 1           | 0           | 0           | 0             | 0                | 0          | 0        | 0        |
| 142  |       | M   | B    | A           | 7  | 13     | Y       | CSH            | 2500        | SEC       | PGL | 0           | 1           | 1           | 2           | 0             | 0                | 0          | 0        | 0        |
| 143  | Y     | M   | B    |             | 2  | 9      | N       |                | 15000       | SEC       | D   | 2           | 2           | 20          | 5           | 2             | 0                | 0          | 0        | 8        |
| 144  | Y     | M   | B    | A           | 0  | 3      | Y       | PB             | 1500        | SEC       | D   | 0           | 0           | 0           | 0           | 0             | 0                | 0          | 0        | 0        |
| 146  | Y     | M   | B    | A           | 5  | 2341   | Y       | UNSEC          | 100000      | SEC       | D   | 1           | 2           | 3           | 4           | 1             | 2                | 0          | 1        | 5        |
| 148  | Y     | M   | B    | A           | 0  | 2      | Y       | UNSEC          | 2500        | UNSEC     | D   | 0           | 0           | 1           | 2           | 0             | 1                | 0          | 0        | 0        |
| 157  | Y     | M   | W    | A           | 0  | 1      | Y       | PB             | 2500        | SEC       | D   | 2           | 0           | 13          | 12          | 2             | 0                | 0          | 0        | 0        |
| 159  | N     | M   | B    | A           | 0  | 3      | N       |                | 10000       |           | PGL | 4           | 2           | 8           | 2           | 0             | 0                | 0          | 3        | 5        |
| 160  | Y     | F   | W    | A           | 0  | 1      | Y       | UNSEC          | 5000        | UNSEC     | D   | 0           | 2           | 9           | 16          | 0             | 2                | 0          | 0        | 1        |
| 161  | Y     | M   | W    | R           | 1  | 3      | Y       | PB             | No Bond     |           | D   | 0           | 1           | 4           | 5           | 6             | 0                | 0          | 0        | 0        |
| 162  | NR/DL | F   | W    | R           | 33 | 35     | Y       |                | 100000      | SEC       | PGL | 0           | 0           | 5           | 3           | 2             | 5                | 0          | 0        | 0        |

# Halifax County Pre-Trial Release Data

| PTSC | RES   | SEX | RACE | ATT<br>TYPE | AC | TOT OC | BP? Y/N | METHD OF<br>PB | BOND AMOUNT | BOND TYPE | DIS | PRIOR<br>FC | PRIOR<br>FA | PRIOR<br>MC | PRIOR<br>MA | PRIOR<br>ETAS | INERACTI<br>ONS | TRAF | PC<br>SC | PA<br>SC |
|------|-------|-----|------|-------------|----|--------|---------|----------------|-------------|-----------|-----|-------------|-------------|-------------|-------------|---------------|-----------------|------|----------|----------|
| 163  | Y     | M   | W    | A           | 1  | 6      | Y       |                | 7500        | SEC       | PGL | 0           | 0           | 0           | 0           | 0             | 0               | 0    | 0        | 0        |
| 166  | NR/DL | M   | W    | A           | 0  | 3      | N       |                | 30000       | SEC       | PGL | 6           | 2           | 9           | 9           | 2             | 0               | 0    | 10       | 15       |
| 167  | Y     | M   | W    | A           | 2  | 6      | Y       | UNSEC          | 2500        | UNSEC     |     | 0           | 0           | 2           | 5           | 0             | 2               | 0    | 0        | 0        |



## Halifax County Pre-Trial Release Data Key

|            |   |  |
|------------|---|--|
| PTCS       |   | Random identification number given to each defendant   |
| RES        | Residency                               | <p><b>Y</b> - The defendant's address is in Halifax County and the defendant has a North Carolina Driver's License</p> <p><b>R/FL</b> - The defendants' address is in Halifax County but has an out-of-state driver's license</p> <p><b>NR/DL</b> - The defendant's address is not in Halifax County but s/he has a NC Driver's License</p> <p><b>N</b> - The defendant is not a Halifax County resident and does not have a NC Driver's License</p>     |
| AC         | Number of Associated Cases              |  |
| TOT OC     | Total Number of Offense Codes           |  |
| BP? Y/N    | Was bond posted?                        | Yes or No  |
| METD OF PB | Method of Posting Bond                  | <p>Options:</p> <p><b>PB</b> - Professionals bondsman</p> <p><b>UNSEC</b> - Signed self out on unsecured bond</p> <p><b>WPA</b> - Signed self out on written promise to appear</p> <p><b>CUS</b> - signed out by guardian</p> <p><b>PROP</b> - property bond</p> <p><b>INS</b> - insurance company</p>   |
| BOND TYPE  |   | <p>Options:</p> <p><b>CSH</b> - Cash</p> <p><b>CUS</b> - Custody Release</p> <p><b>PTR</b> - Pretrial Release</p> <p><b>SEC</b> - Secured</p> <p><b>UNS</b> - Unsecured</p> <p><b>WPA</b> - Written Promise to Appear</p>  |
| DIS        | Method of Disposition                   | <p>Options:</p> <p><b>PGM</b> - Pled guilty to misdemeanor (F dismissed)</p> <p><b>PGL</b> - Pled guilty with some charges dismissed; not necessarily the most serious</p> <p><b>PG</b> - Plea as charged</p> <p><b>TA</b> - Trial and acquitted</p> <p><b>TG</b> - Trial and found guilty</p> <p><b>D</b> - Dismissed</p> <p><b>PJC</b> - Prayer for Judgment Continued</p> <p><b>DP</b> - Deferred prosecution</p> <p><b>O</b> - Other Disposition</p> |
| PRIOR FA   | Number of Prior Felony Arrest           |  |
| PROIR MC   | Number of Prior Misdemeanor Convictions |  |

## Halifax County Pre-Trial Release Data Key

|               |   |  |
|---------------|---|--|
| PRIOR MA      | Number of Prior<br>Misdemeanor Arrest         |  |
| PRIOR<br>FTAs | Number of Prior<br>Failure to Appears         |  |
| PC SC         | Number Prior<br>Convictions on<br>Same Charge |  |
| PA SC         | Number of Prior<br>Arrest on Same<br>Charge   |  |