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Subject: 21R411 - Changes in Order from 18R425 - Bail and Pretrial Release Policy for District 30B.

The purpose of this summary is to highlight the major changes recently made to the Bail and Pretrial Release Policy from the original Temporary Order, created 12/28/2018. There are several ways to do this, however, this document will focus on a section-by-section comparison. Will attempt to focus on the major changes only. A Direct Comparison of the two documents is on www.haywoodtp.net -

<https://www.haywoodtp.net/pubII/220603OrderComparisons.pdf>

Section

7. **Early Involvement of Counsel in 30B** has been temporarily suspended.
11. New section added, **(m) Offense Committed While on Pretrial Release**. Increases bond amount for multiple offences. New secured bonds of up to \$25,000 possible for each additional offense.
12. New addition to (g). New conditions applied to previous convictions involving DWI.
13. New Section, **Prior Breaking and Entering Convictions**. Possible imposition of secured bond.
17. New section (f), **Defendant's Motion and State's Motion**. Defendant can motion if objection to conditions of release.
20. Change to **Fugitive Warrants**, suggested Bail. Percentage Increase of new Suggested Bonds range from: **<100% .. 400%>**, or increased by a factor of between **x2 ... x5**.
22. **Probation Violations**, change of Recommended Bail Amounts, up **<500% .. 1400%>** or a factor of between **x6 .. x15**.

New section © **Probation Violator with Pending Felony or Conviction Requiring Sex Offender Registration**. Can deny conditions of release.

New section **(e) Orders for Arrest**. Can issue orders for arrest for violation of probation conditions.

New section **(f) Unsupervised Probation Violations**. Magistrate can refer matter to DA.
23. Probationer Charged with Felony. Can determine if there is a "danger to the public".
25. Previous section (now Section 28), **Stacking or Splitting Appearance Bonds Prohibited**. Now prohibited.
26. New section, **Habitual DWI**. Secured bond may be set.
31. **First Appearance for Defendants Detained by Secured Appearance Bonds on Felony and/or Misdemeanor Offences**. Removed standing order for first appearances for H & I felonies, and specifies eight new conditions.

31. Old section 31 removed: **Special Conditions of Bond Revocation for Violations of Domestic Violence Release.**

Appendix “A”. Major re-write of

- Recommended Maximum Secured Appearance Bond Amounts
 1. Other than Drug Trafficking
 2. Drug Trafficking

Removal of MODIFICATION OF BOND templet.

So, this is a brief summary of the major changes. You are encouraged to review all of these changes in the following links on www.haywoodtp.net .

[Direct Comparison of 18R425 vs 21R411, "Bail and Pretrial Release policy for District 30B". 21R411 has new text highlighted in yellow, and 18R245 has obsolete text circled in purple. 6/3/2022...](#)

[NEW!!! 21R411 - ORDER - IN THE MATTER OF PROMULGATING LOCAL RULES RELATING TO BAIL AND PRETRIAL RELEASE FOR JUDICIAL DISTRICT 30B. New Conditions of Pretrial Release, by Brad Letts and Roy Wijewickrama. 11/29/2021. 6/3/2022...](#)

[Flashback 18R425 - ORDER - IN THE MATTER OF PROMULGATING LOCAL RULES RELATING TO BAIL AND PRETRIAL RELEASE FOR JUDICIAL DISTRICT 30B. Determining Conditions of Pretrial Release. 12/28/2018. 5/25/2021...](#)

[**Editor’s Note:** Order 21R411 was entered on November 29, 2021, yet I only found out about this new “Bail and Pretrial Release Policy for District 30B” when it was casually mentioned at a Waynesville Police Department Community Meeting held last Thursday, 6/2/2022. It’s been in effect for over six (6) months and this is the first I found out about it? WTF?]

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