

THIRD JUDICIAL DISTRICT COURT

FILED: APR 03 2017

DEPUTY CLERK: *Sherrie McCarri*

ORDER

Considering the need to reduce the number of persons who remain incarcerated because they cannot afford to post bond for certain misdemeanor charges, the Court after consultation with the Sheriff and District Attorney has deemed it appropriate to rescind the misdemeanor bond schedule currently in effect and to adopt the following policy and procedure with regard to misdemeanor arrestees:


- 1) After arrest, all misdemeanor arrestees - except those expressly listed in Section 2 below and those who are non-residents of the State of Louisiana - will be released on their own recognizance after the completion of standard booking procedures.
- 2) For arrestees charged with offenses listed in (i) - (liv) below or non-residents, the duty judge will make a case-by-case determination as to whether the arrestee will be released on recognizance or if bond will be required. This determination will be made after review of the affidavit for probable causes.
 - i. Battery on a Police Officer, R.S. 14:34.2;
 - ii. Battery of a School Teacher, R.S. 14:34.3
 - iii. Battery of a School Teacher or Recreation Athletic Contest Official, R.S. 14:34.3
 - iv. Battery of a Correctional Facility Employee, R.S. 14:34.5
 - v. Battery of Bus Operator, R.S. 14:34.5.1
 - vi. Battery of Emergency Room Personnel, Emergency Services Personnel, and Healthcare Professional, R.S. 14: 34.8
 - vii. Simple Battery, R.S.14:35


- x. Domestic Abuse Battery, R.S. 14:35.3
- xi. Aggravated Assault, R.S. 14:37;
- xii. Unlawful Use of Laser on Police Officer, R.S. 37.3
- xiii. Simple Assault, 14:38;
- xiv. Assault on a School Teacher, R.S. 14:38.2
- xv. Assault on Child Welfare Worker, R.S. 14:38.3
- xvi. Negligent Injuring, R.S. 14:39
- xvii. Vehicular Negligent Injuring, R.S. 14:39.1
- xviii. Stalking, R.S. 14:40.2
- xix. Cyberstalking, R.S. 14:40.3
- xx. Cyberbullying, R.S. 14:40.7
- xxi. Misdemeanor Sexual Battery, R.S. 14:43.1.1
- xxii. False Imprisonment, R.S. 14:46
- xxiii. Theft of Goods under \$500 Second Offense R.S. 14:67.10
- xxiv. Criminal Neglect of Family, R.S. 14:74
- xxv. Violation of Protective Orders, R.S. 14:79
- xxvi. Criminal Abandonment, R.S. 14:79.1
- xxvii. Misdemeanor Carnal Knowledge of a Juvenile, R.S. 14:80.1
- xxviii. Prohibited Sexual Conduct, R.S. 14:81.4
- xxix. Unlawful Sales of Weapons to Minors, R.S. 14:91
- xxx. Unlawful Presence of Sexually Violent Predator, R.S. 14:91.1
- xxxi. Contributing to the Endangerment of Minor,
R.S. 14:91.4
- xxxii. Unlawful Presence or Contact of a Sex Offender Relative to a
Former Victim, R.S. 14:91.9
- xxxiii. Operating a Vehicle While Intoxicated First Offense, R.S. 14:98
- xxxiv. Operating a Vehicle While Intoxicated Second Offense, R.S. 14:98
- xxxv. Disturbing the Peace by Engaging in a fistful encounter; R.S.
14:103(A)(1), or by Engaging in an Act in a Violent and
Tumultuous Manner by Any Three or More Person; R.S.
14:103(A)(4).


- xxxix. Providing False, Nonexistent or Incomplete Declaration of Residence for Bail, R.S. 14:110.1.2
- xl. False Personation, R.S. 14:112
- xli. False Personation of Peace Officer or Firefighter R.S. 14:112.1
- xl.ii. Unlawful Production, Manufacturing, Distribution or Possession of Unauthorized Peace Officer Badges, R.S. 14:112.4
- xl.iii. Jury Misconduct, R.S. 14:130
- xl.iiii. Misrepresentation During Booking, R.S. 14:133.2
- xl.v. Falsification of Drug Test, R.S. 14:133.3
- xl.vi. Misrepresentaion During Issuance of a Misdemeanor Summons or Preparation of a Juvenile Custodial Agreement, R.S. 14:133.4
- xl.vii. Voyeurism, R.S. 14:283.1
- xl.viii. Telephone Communications; Improper Language; Harassment, R.S. 14:285
- xl.ix. Abuse and Neglect of Adults R.S. 14:403.2
- l. Failure to Report a Missing Child R.S. 14:403.7
- li. Killing or Injuring a Person While Hunting R.S. 14:501
- lii. Possession of Marijuana Second R.S. 40:966
- liii. Possession of Synthetic Marijuana R.S. 40:966
- liv. Any criminal offense where the offender is charged with exceeding the speed limit by more than 30 miles per hour.

- 3) In cases involving the misdemeanor offense of Domestic Abuse Battery, La. R.S. § 14:35.3, the Court retains discretion to utilize the pretrial detention procedure set forth in La. Code of Criminal Procedure Article 313.
- 4) Those arrested for the offenses listed in 2 (i)-(liv) who were not released on recognizance or for whom bond was not set shall be held in jail without bond pending a detention hearing to be held within the time prescribed by law.
- 5) Each arrestee released on recognizance shall be required to sign a "Recognizance Sign-Out Form" identical to the form attached hereto as Exhibit "A".

THUS DONE AND SIGNED on this 3rd day of April, 2017.


CYNTHIA T. WOODARD
Judge, Division "A"


THOMAS W. ROGERS
Judge, Division "B"


JAY B. MCCALLUM
Judge, Division "C"

Defendant's Name: _____

Charges: _____

I understand that I am being released on a personal recognizance bond and that if I am arrested for any future misdemeanor or felony offense, I will be in violation of this recognizance bond and will return to jail and may be held without bond, pending a review by one of the district judges. I further acknowledge that I have been given notice of my next court date, and failure to appear may result in a bench warrant being issued for my arrest and that the bench warrant may be without bond.

Furthermore, if I am charged with an offense involving an alleged victim or complainant, I understand that I am banned from having any abusive contact with that person or persons as an additional condition of my bond.

Signature of Defendant

Date

Instructions to Jail Personnel:

Every person who is released on a personal recognizance bond should sign this form. This form should then be attached to the bond paperwork.