

HOUSE BILL 2535

By Doggett

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 11, relative to the reporting of the release
of criminal defendants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 11, Part 1, is amended by adding the following as a new section:

(a) By the fifteenth day of each month, each clerk of court with criminal jurisdiction shall, using a form created by the administrative office of the courts, provide the administrative office of the courts with release data on criminal defendants.

(b) The form must provide the following statistical information with the preceding month's data:

(1) The total number of citations issued, and the classification of the offenses;

(2) The total number of arrests made, and the type of offense of the offenses;

(3) The conditions set for the release of the defendants, organized into the following categories:

(A) The number of defendants released on recognizance;

(B) The number of defendants released under an unsecured bond;

(C) The number of defendants released under conditions set pursuant to § 40-11-116, except release under the supervision of a pretrial services agency;

(D) The number of defendants released under the supervision of a pretrial services agency;

(E) The number of defendants released upon the deposit of bail secured by a cash deposit by the defendant;

(F) The number of defendants released upon the deposit of bail secured by a cash deposit by a person other than the defendant;

(G) The number of defendants released upon the deposit of bail secured by real estate pursuant to § 40-11-122(1);

(H) The number of defendants released upon the deposit of bail secured by a signature bond pursuant to § 40-11-122(2);

(I) The number of defendants released upon the deposit of bail secured by a solvent corporate surety pursuant to § 40-11-122(3); and

(J) The number of defendants released upon the deposit of bail secured by a professional bondsman pursuant to § 40-11-122(3);

(4) The number of defendants that failed to appear at a scheduled court date, organized by the following categories:

(A) The number of defendants released on their own recognizance;

(B) The number of defendants released under an unsecured bond;

(C) The number of defendants released under conditions set pursuant to § 40-11-116, except release under the supervision of a pretrial services agency;

(D) The number of defendants released under the supervision of a pretrial services agency;

(E) The number of defendants released upon the deposit of bail secured by a cash deposit by the defendant;

(F) The number of defendants released upon the deposit of bail secured by a cash deposit by a person other than the defendant;

(G) The number of defendants released upon the deposit of bail secured by real estate pursuant to § 40-11-122(1);

(H) The number of defendants released upon the deposit of bail secured by a signature bond pursuant to § 40-11-122(2);

(I) The number of defendants released upon the deposit of bail secured by a solvent corporate surety pursuant to § 40-11-122(3); and

(J) The number of defendants released upon the deposit of bail secured by a professional bondsman pursuant to § 40-11-122(3);

(5) The number of defendants that remained in custody awaiting trial for more than ten (10) days, organized by the following categories:

(A) The number of defendants ineligible for release by operation of law;

(B) The number of defendants, other than those previously categorized, that remain in custody pursuant to an order of a court of competent jurisdiction;

(C) The number of defendants, other than those previously categorized, that are in custody because their bond has been revoked;

(D) The number of defendants, other than those previously categorized, that are being detained at the request of another agency;

(E) The number of defendants, other than those previously categorized, that are in custody because of a previous failure to appear;

(F) The number of defendants, other than those previously categorized, that are in custody because of a failure to abide by the conditions of release;

(G) The number of defendants, other than those previously categorized, that are in custody after the bond amount has been increased by order of a court of competent jurisdiction;

(H) The number of defendants, other than those previously categorized, that have had an initial bond amount set and remain in custody for no reason other than a failure to post that amount; and

(I) The number of defendants, other than those previously categorized, that remain in custody and the reason that the defendant remains in custody.

(c) The administrative office of the courts shall prepare and transmit a summary report of the collected information annually to the judiciary committees of the senate and the house of representatives by February 1 of each year.

SECTION 2. This act shall take effect July 1, 2020, the public welfare requiring it.