

# COMMISSIONER & JUDICIAL HIGH-RISK BENCH CARD

## DETERMINING RISK FOR VICTIMS & PETITIONERS

- ☐ Review the Lethality Assessment (LAP) or ask Police/Prosecutors for LAP info:
  - ☐ LAP screened in as **high-risk**?
  - ☐ **Strangulation** history? (#5)
  - ☐ **Firearms** history (#1 and #4)
- ☐ Review the OP, Warrant, and Defendant History for:
  - ☐ **Firearm** in narrative(s) and/or OP #15
  - ☐ **Strangulation** in narrative(s)
- ☐ Ask the Victim/Petitioner (if present and safe to do so):
  - ☐ Does defendant/respondent own/possess **firearms**?

## SETTING BOND & BOND CONDITIONS & CONSIDERING MOTIONS TO REDUCE BOND

- ☐ Risk to the Community TCA 40-11-118
  - ☐ *Shall* consider defendant's prior criminal record and
  - ☐ Likelihood will pose a risk of danger to the community
- ☐ Risk to the Victim TCA 40-11-150
  - ☐ *Shall* review facts of the arrest and detention and
  - ☐ Determine if the defendant is 1) A threat to the victim; 2) A threat to public safety; 3) Reasonably likely to appear in court.
- ☐ If Defendant currently on Bail TCA 40-11-148
  - ☐ *Shall* set the defendant's bail on **EACH** new offense in an amount not less than TWICE that which is customarily set for the offense charged.
- ☐ Bond Conditions – *may* add bond conditions that mandate the defendant:
  - ☐ Cannot possess firearms (state/federal law removes for granted OP, DV conviction)
  - ☐ Must surrender and cannot obtain a new handgun carry permit
  - ☐ Must stay away from victim – consider GPS monitoring to ensure

Please consider the **high-risk factors** on the back of this card (OVER).

# EVIDENCE BASED HIGH-RISK INDICATORS

- ▀ **Stalking** = 2x increased risk for murder
- ▀ **Sexual Violence** = 2x increased risk for murder
- ▀ **Access to firearms** = 5x increased risk for murder
- ▀ **Strangulation** = 7.5x increased risk for murder
  - Stranglers are *practicing or trying to kill* their victims
  - Strangulation has *life-threatening* health effects
  - Strangulation does not require loss of consciousness or injury
- ▀ **Threats to kill** = 15x increased risk for murder
- ▀ **Threat or assault w/weapon** = 20x increased risk for murder
  - Tennessee is *11<sup>th</sup> in the country* for the rate *men kill women* – the vast majority of these murders are with a *firearm*
  - *54% of mass shootings* are incidents where intimate partners and/or family members are targeted, even more have a history of domestic violence