

# CONDITIONS OF RELEASE DOMESTIC VIOLENCE CASE

Case Number \_\_\_\_\_

(For Offenses Committed On or After May 23, 2019)

IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_, ALABAMA  
*(Circuit, District, or Municipal)* *(Name of County or Municipality)*

STATE OF ALABAMA

MUNICIPALITY OF \_\_\_\_\_ V. \_\_\_\_\_  
*(Defendant)*

The above-named Defendant was:

arrested for domestic violence in the first degree, pursuant to Section 13A-6-130, domestic violence in the second degree, pursuant to to Section 13A-6-131, domestic violence in the third degree, pursuant to Section 13A-6-132, interference with a domestic violence emergency call, in violation of Section 13A-6-137, or domestic violence by strangulation or suffocation, pursuant to Section 13A-6-138. the victim, \_\_\_\_\_ (name), to-wit: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ [describe offense and specific act(s)];  
charged with a violation of domestic violence protection order, to-wit: \_\_\_\_\_  
\_\_\_\_\_ (describe).

This court hereby orders that the Defendant be released upon the following conditions:

- A. Execution of an appearance bond in the amount of \$ \_\_\_\_\_ .
- B. Restraining Order: Based upon a finding by the court that a history of violence or abuse exists, the Defendant shall not harass, annoy, alarm, threaten, intimidate, assault, or otherwise bother or harm, \_\_\_\_\_ .
- C. MANDATORY CONDITIONS OF RELEASE:
  - 1.The Defendant must appear to answer and submit to all orders and processes of the court having jurisdiction over the case.
  - 2.The Defendant must refrain from committing any criminal offense.
  - 3.The Defendant may not depart from the State of Alabama without approval or leave of the court having jurisdiction of this case.
  - 4.The Defendant must promptly notify the court of any change of his/her address or telephone number.

D. OTHER CONDITIONS OF RELEASE:

- The Defendant is enjoined from threatening to commit or committing acts of domestic violence against the alleged victim as provided in Section 15-13-190(b), Ala.Code 1975;
- The Defendant is restrained and enjoined from contacting the victim, including but not limited to, communicating with the victim verbally or in any written form, either in person, telephonically, electronically, or in any other manner, either directly or indirectly through a third person;
- The Defendant is prohibited from possessing a firearm or other weapon, as follows: \_\_\_\_\_ and that such weapon is not necessary for employment as a peace officer or military personnel;

Other conditions: \_\_\_\_\_

These conditions of release are effective until \_\_\_\_\_ (date).

The provisions of this form may be revoked or modified by the court for cause or as required to protect the safety of the alleged victim or to ensure the appearance of the person in court. Upon report of a violation of any of the above conditions, a warrant for the Defendant's arrest may be issued. A law enforcement officer may arrest with or without a warrant for violation of the above language restraining the Defendant issued as a condition of release.

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STATE OF ALABAMA

MUNICIPALITY OF \_\_\_\_\_ V. \_\_\_\_\_  
*(Defendant)*

### Notice to Defendant

If you are convicted of a misdemeanor crime of domestic violence, which has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, against your current or former spouse; your child of whom you are a parent or guardian; a person with whom you share a child in common; a spouse, parent, or guardian with whom you are, or have been, cohabiting or to whom you are similarly situated, and you ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition, or if you receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, YOU ARE SUBJECT TO BEING PROSECUTED IN FEDERAL COURT FOR VIOLATING 18 U.S.C. 922(g)(9). Also, Section 13A-11-72(a) provides that it is a Class C felony for a person convicted in the State of Alabama or elsewhere of a misdemeanor offense of domestic violence or subject to a valid protection order for domestic abuse to own a firearm or have one in his or her possession or under his or her control. If you willfully violate a condition of pretrial release provided in §15-13-190, when the original arrest was for an act of domestic violence, you shall be subject to the penalties provided in §13A-6-142, and shall receive an enhanced penalty and additional sentence of imprisonment in accordance with §13A-6-142.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge/Magistrate

Served on Defendant this date, \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_

I understand the above Conditions of Release and agree to abide by them.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant's Address

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Defendant's Telephone Number