

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS**

**People of the State of Illinois
Or
City/Village of**

Case No. _____

v.

Defendant

File Stamp

PRE-TRIAL DETENTION ORDER

☐ INITIAL

☐ SUBSEQUENT

This cause coming before the Court, the Court being fully advised in the premises, and having jurisdiction of the subject matter:

Defendant: ☐ Present in open court

☐ Interpreter used (see Interpreter Order)

☐ Present via audio/video system – (Defendant Waived / Physical Health & Safety Endangered)

Represented by: ☐ Public Defender

☐ Pro-Se

☐ Private Counsel: _____

The Court Finds that (check all boxes that apply):

☐ **(DANGEROUSNESS STANDARD) The Court DOES find by clear and convincing evidence that:**

- A. The proof is evident or the presumption great that the Defendant committed a detainable offense pursuant to paragraphs (1) through (7) of 725 ILCS 5/110-6.1(a); **AND**
- B. The Defendant's pre-trial release poses a real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case, by conduct which may include, but is not limited to, a forcible felony, the obstruction of justice, intimidation, injury, or abuse as defined by paragraph (1) of Section 103 of the Illinois Domestic Violence Act of 1986; or, in the case of stalking or aggravated stalking, of a victim of the alleged offense, and denial of release is necessary to prevent fulfillment of the threat upon which the charge is based; **AND**
- C. No condition or combination of conditions set forth in subsection (b) of Section 110-10 can mitigate the real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case, for offenses listed in paragraph (1) through (7) of subsection (a); **AND**
- D. For offenses under subsection (b) of Section 407 of the Illinois Controlled Substances Act that are subject to paragraph (1) of subsection (a), no condition or combination of conditions set forth in subsection (b) of Section 110-10 can mitigate the real and present threat to the safety of any person or persons or the community, based on specific articulable facts of the case, and the Defendant poses a serious risk to not appear in court as required.

☐ **(WILLFUL FLIGHT STANDARD) The Court DOES find by clear and convincing evidence that:**

- A. The proof is evident or the presumption great that the Defendant committed a qualifying offense pursuant to 725 ILCS 5/110-6.1(a)(8); **AND**
- B. The Defendant has a high likelihood of willful flight to avoid prosecution; **AND**
- C. No condition or combination of conditions set forth in 725 ILCS 5/110-10(b) can mitigate the risk of the Defendant's willful flight.

The Court's reasons for concluding that the Defendant should be denied pre-trial release and why less restrictive conditions would not avoid a real and present threat to the safety of any person or persons or the community, based on the specific articulable facts of the case, or prevent the Defendant's willful flight from prosecution are based upon the following:

ANDREA LYNN CHASTEEN, CLERK OF THE CIRCUIT COURT OF WILL COUNTY

- ☐ 1. Nature and circumstances of the offense(s) charged.
- ☐ 2. Defendant's prior criminal history is indicative of violent, abusive or assaultive behavior.
- ☐ 3. Defendant's psychological, psychiatric or other similar social history indicates a violent, abusive or assaultive nature.
- ☐ 4. The identity of any person or persons to whose safety the Defendant is believed to pose a threat, and the nature of the threat.
- ☐ 5. Any statements made by, or attributed to the Defendant, together with the circumstances surrounding them.
- ☐ 6. The age and physical condition of the Defendant.
- ☐ 7. The age and physical condition of any victim or complaining witness.
- ☐ 8. Defendant is known to possess or have access to weapons.
- ☐ 9. At the time of current offense or arrest, Defendant was on probation, parole, aftercare release, mandatory supervised release or other release from custody pending trial, sentencing, appeal or competition of sentence.
- ☐ 10. _____

It is hereby ordered that (check all that apply):

- ☐ 1. Defendant shall be committed to the custody of the Will County Sheriff for confinement in the county jail pending trial (see Mittimus Order Remanding Custody).
- ☐ 2. The Defendant shall have no contact or communication of any kind with _____ until further order of Court. This shall include no contact by call, text, e-mail, letter, social media or any other means of verbal, electronic or written communication. Defendant shall also not direct or request any other person to contact the above-listed individual(s).
- ☐ 3. Pregnant pre-trial detainee shall continue to be held in custody to protect the public or the victim of the offense on which the charge is based.
- ☐ 4. The Court shall, as required under 725 ILCS 5/110-6.1(i-5), review the Defendant's detention at each subsequent appearance by the Defendant and address whether Defendant's continued detention is necessary to avoid the real, specific, and present threat to any person or persons, or to the community, or of willful flight from prosecution.
- ☐ 5. The Defendant has been notified of their rights to appeal.
- ☐ 6. Case continued to _____ (date) at _____ (time) in courtroom _____
- ☐ 7. _____

Name: _____
 Atty For: _____
 ARDC#: _____
 Address: _____
 City/Zip: _____
 Telephone: _____
 Email: _____

 Judge

 Date