

MOTION FOR PRE-TRIAL RELEASE ON HOME DETENTION

The Defendant, [Name], by counsel, respectfully requests this Court to release him on home detention while he awaits trial. In support of the Motion, [Name] states the following:

1. [Name] has been incarcerated on the instant charges since approximately [date]. He has a \$ surety bond and a \$ cash bond in this case.
2. During this incarceration, [Name] has been suffering from the effects of his mental illness. Working with the jail, undersigned counsel tried to have [Name] transferred to a secure mental health facility. On [date] a mental health professional evaluated [Name]. Counsel was advised by the jail that the evaluator concluded that [Name] is suffering from a mental disorder and that he needs a medication adjustment, but is not a danger to himself or others.
3. The jail is not equipped to provide the mental health treatment to [Name] that he needs. He needs services from a mental health facility with mental health professionals to help him find the proper medication combination and dosage.
4. As counsel has observed and noted in the Motion for Competency, [Name] is easily confused, cannot maintain attention and extremely withdrawn and anxious. A proper medication adjustment could alleviate the need for the competency evaluations and subsequent commitment.
5. Moreover, undersigned counsel is concerned for [Name]' safety in the jail. He has been targeted by other inmates because of his outwardly signs of his mental illness.
6. The trial court has the authority to impose conditions on pre-trial release to protect the safety of the community and assure the appearance of the defendant. Ind. Code 35-

33-8-3.2. [Name] cannot afford the bond in this case. Releasing [Name] on pretrial home detention protects the safety of the community and is the humane option for [Name].

7. [Name]' family is willing to accept him into their home, help him obtain the treatment he needs and pay for the home detention.
8. The prosecutor does not object to [Name]' release on home detention.

WHEREFORE, the Defendant, [Name], by counsel, respectfully requests this Court to release him on home detention, and for all other relief just and proper in the premises.

Respectfully submitted,