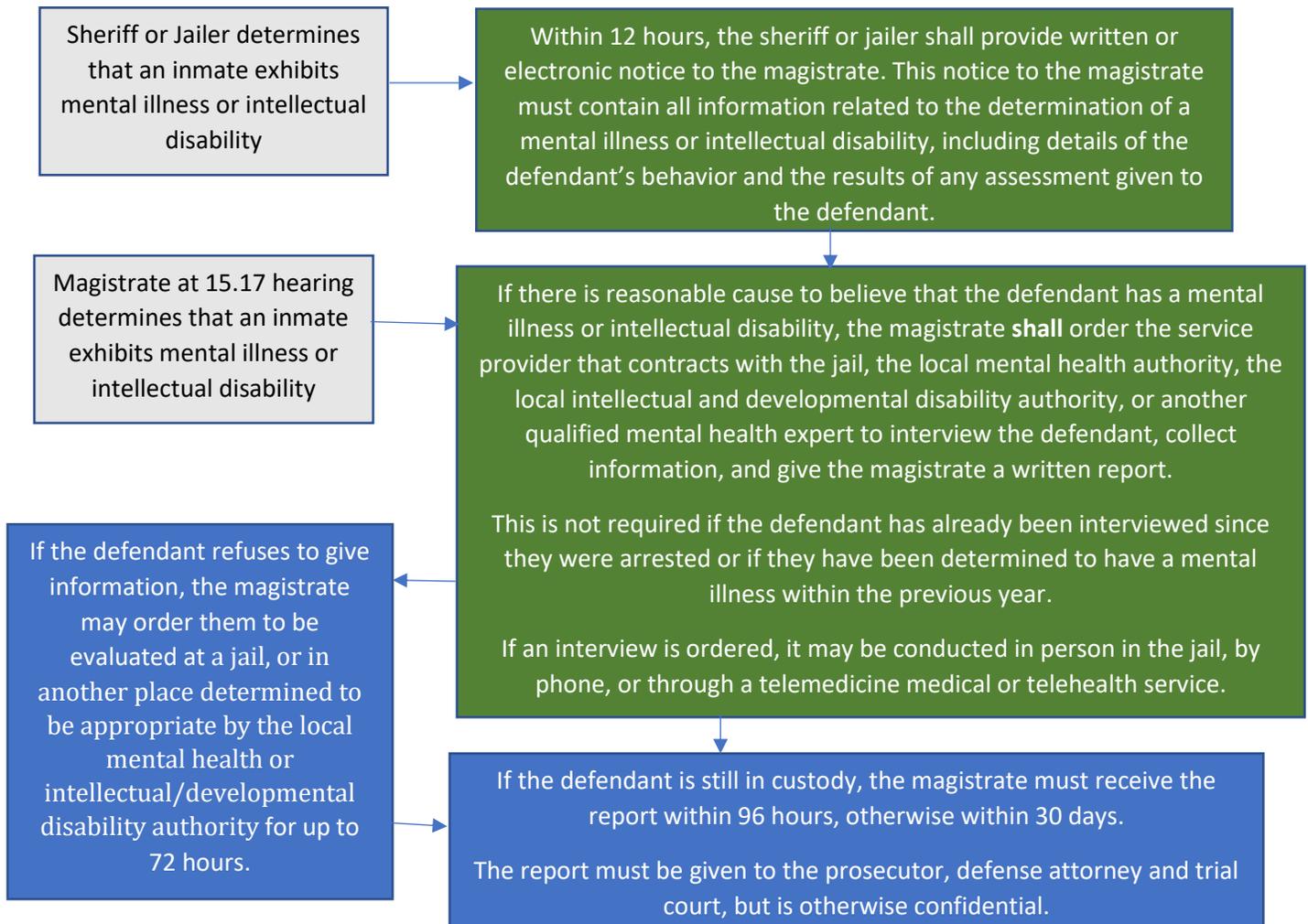


Art. 16.22 Procedure Flowchart



RELEASE ON PERSONAL BOND FOR MENTAL HEALTH TREATMENT

A magistrate **shall** release a defendant on personal bond unless good cause is shown otherwise if all of the following five conditions apply:

- 1) The defendant is not charged with and has not been previously convicted of a **violent offense**;
- 2) The defendant is examined as described above;
- 3) The expert concludes that the defendant has a mental illness or intellectual disability and recommends mental health treatment or intellectual and developmental disability services;
- 4) The magistrate determines that treatment or services are available; and
- 5) The magistrate determines that release on personal bond would reasonably ensure the defendant's appearance in court and the safety of the community and the victim of the alleged offense.

The magistrate, unless good cause is shown, **shall** require as a condition of the bond that the defendant submit to mental health treatment or intellectual/developmental disability services as recommended if the defendant's condition is chronic in nature, or if the defendant's ability to function independently will continue to deteriorate if they do not.