IN THE MATTER OF: Defendant	FINDINGS SUPPORTING THE DETENTION OF AN IMPAIRED DRIVER [G.S. 15A-534.2]

NORTH CAROLINA
SURRY COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT – BEFORE THE MAGISTRATE

☐ *DEFENDANT DETAINED FOR REASONS OTHER THAN IMPAIRMENT*

☐ **The undersigned finds that the defendant named above was arrested for an offense involving impaired driving as defined in N.C.G.S.§20-4.01(24a) on the date below. At the time of the defendant's initial appearance before me, and from my observations as indicated below, there is clear and convincing evidence that the defendant's physical and/or mental faculties were so impaired that defendant's release would present a danger to himself/herself, to others or to property. Therefore, pursuant to N.C.G.S.§15A-534.2, I have ordered the detention of the defendant as an impaired driver until the conditions of N.C.G.S.§15A-534.2(c) have been met.**

MENTAL FACULTIES

STATE OF MIND

Defendant's state of mind could be described as:

- ☐ Hostile and Argumentative
- ☐ Belligerent
- ☐ Aggressive
- ☐ Combative
- ☐ Anxious
- ☐ Worried
- ☐ Concerned
- ☐ Ashamed
- ☐ Frivolously Unconcerned
- ☐ Unaware of Surroundings
- ☐ Other: _____

BEHAVIOR

Defendant's behavior could be described as:

- ☐ Unruly
- ☐ Disruptive
- ☐ Shouting
- ☐ Cursing
- ☐ Screaming
- ☐ Crying
- ☐ Noisily Defiant
- ☐ Threatening
- ☐ Lethargic
- ☐ Sluggish
- ☐ Unconscious
- ☐ Other: _____

COMPREHENSION & JUDGEMENT

Defendant is impaired to the extent that he/she ☐ is able ☐ may not be able ☐ is unable to understand the procedural rights afforded by this initial appearance and ☐ is able ☐ may not be able ☐ is unable to have the capacity to make sound and reasonable decisions.

PHYSICAL FACULTIES

SPEECH

Defendant's speech is:

- ☐ Slow
- ☐ Confused
- ☐ Thick-tongued
- ☐ Slurred
- ☐ Mumbled
- ☐ Incomprehensible
- ☐ Other: _____

COORDINATION

Defendant's coordination could be described as:

- ☐ Slow Body Movement
- ☐ Unsteady on feet
- ☐ Swaying
- ☐ Stumbling
- ☐ Falling
- ☐ Cannot walk without support or assistance
- ☐ Other: _____

PHYSICAL APPEARANCE

Defendant's physical appearance is characterized by having:

- ☐ Glassy-eyes
- ☐ Red-eyes
- ☐ Bloodshot eyes
- ☐ Dilated pupils
- ☐ Red/flushed face
- ☐ A moderate odor of alcohol
- ☐ A strong odor of alcohol
- ☐ A very strong odor of alcohol
- ☐ Other: _____

OTHER FACTORS

NATURE AND CIRCUMSTANCES OF OFFENSE CHARGED:

AVAILABILITY OF A SOBER ADULT, 18 YEARS OR OLDER, WHO IS WILLING TO TAKE CUSTODY OF DEFENDANT:

COMMENTS OF DEFENDANT:

DATE:	TIME: ☐ A.M. ☐ P.M.	MAGISTRATE:

PLEASE ATTACH ADDITIONAL SHEETS TO THIS FORM IF NEEDED