

Factors Considered by the Judicial Officer in the Release Decision

Title 18 U.S.C. § 3142(g) lists the factors the judicial officer considers in determining whether there are conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community. The judicial officer considers the available information about:

- (1) the nature and circumstances of the offense charged including whether the offense is a crime of violence or involves a narcotic drug;
- (2) the weight of the evidence against the person;
- (3) the history and characteristics of the person; and
- (4) the nature and circumstances of the danger to any person or the community that would be posed by the person's release.

Factors Not Considered by the Officer

Officers consider information relevant to all factors listed in 18 U.S.C. § 3142(g) *except for the weight of the evidence*. Only the judicial officer considers this factor since weighing evidence is uniquely a judicial officer's responsibility and area of expertise.