

**REASONS FOR ORDERING BAIL,  
CONTINUED DETENTION, OR RELEASE**



**TRIAL COURT OF  
MASSACHUSETTS**

|                  |                    |                                     |
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| COURT DEPARTMENT | DIVISION OR COUNTY | DOCKET NUMBER<br><b>2386 CC 136</b> |
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NAME OF DEFENDANT **Brian Wabbe**

**Section I. Bail Order**

Bail amount is set at: Cash \$ **500,000** Surety \$ **5,000,000**

The Court relied on the following factors:

1.  The defendant's financial resources.
2.  The nature and circumstances of the offense charged.
3.  The potential penalty the defendant faces.
4.  The defendant's family ties.
5.  The defendant's employment record.
6.  The defendant's history of mental illness.
7.  The defendant's reputation and length of residence in the community.
8.  The defendant's record of convictions.
9.  The defendant's present drug dependency.  record for illegal drug distribution.
10.  The defendant's record of flight to avoid prosecution.
11.  The defendant's fraudulent use of an alias or false identification.
12.  The defendant's failure to appear at a court proceeding to answer to an offense.
13.  The fact that the defendant's alleged acts involve "abuse" as defined by G.L. c. 209A, § 1.
14.  The fact that the defendant's alleged acts constitute a violation of a temporary or permanent order issued under G.L. c. 208, §§ 18 or 34B; G.L. c. 209, § 32; G.L. c. 209A, §§ 3, 4 or 5; or G.L. c. 209C, §§ 15 or 20.
15.  The defendant's history of orders issued against him or her under the aforementioned sections.
16.  The defendant's status of being on bail pending adjudication of a prior charge.
17.  The defendant's status of being on probation, parole or other release pending completion of sentence for any conviction.
18.  The defendant's status of being on release pending sentence or appeal for any conviction.
19.  The defendant's risk of exposure to COVID-19 if in custody, the risk that the defendant may infect others with COVID-19 if in custody, and the defendant's particular vulnerability, if any, to COVID-19 due to a preexisting medical condition or advanced age.

Further Explanation: Suspect in disappearance of his wife. On federal probation on geo on home arrest.

Based on the above information, bail has been set at its current amount because the Court finds that the risk that the defendant will flee or otherwise fail to appear before the Court as required is such that it outweighs the potential adverse impact on the person, their immediate family or dependents and that no alternative, less restrictive financial or non-financial conditions will suffice to assure his or her appearance at future court proceedings.

**Section II: Review Of Motion For Reconsideration Of Order Resulting In Custody**

The defendant is in custody on:  Bail  G.L. c. 276, § 58A  G.L. c. 276, § 58B  pending probation violation hearing

**For detainee entitled to presumption of release:** At an expedited COVID-19 hearing pursuant to *CPCS v. Chief Justice of the Trial Court*, 484 Mass. 431 (April 3, 2020): The Commonwealth  has  has not established, by a preponderance of the evidence, that release would result in an unreasonable danger to the community or that the defendant presents a very high risk of flight.

**For detainee not entitled to presumption of release:**  Detainee release request denied.  Detainee ordered released on probation order due to COVID-19 factors.  Detainee ordered released on the above docket number(s) due to COVID-19 factors.

**The Court relied on the following factors in addition to those marked in Section I:**

- The safety risk to the victim, victim's family members, witnesses, the community or defendant if released.
- The accusation that the defendant violated a condition of probation or release and whether the violation was a new criminal offense or a non-criminal conduct.
- The defendant's release plan.

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| DATE<br><b>1-9-23</b> | JUSTICE<br> |
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