Grant 2012

If the Defendant has been arrested for a violent crime resulting in injury or death as defined in I.C. § 5-2-6.1-8, such as battery with injury, strangulation, domestic battery, etc., the Defendant is automatically prohibited from having any direct or indirect contact with the alleged victim for 10 days from the Defendant's release from custody or until the initial hearing, whichever occurs first. [I.C. § 35-33-8-3.6.]

If the Defendant **is on bail or bond or on his or her own recognizance on another pending criminal matter, and it is alleged that the Defendant committed the new crime while on bail, bond, or recognizance**, the Defendant's bail on the new charge shall be the greater of **$50,000 cash** (no 10% cash bond nor surety bond) or the regular bail, unless otherwise ordered by a judicial officer.

If the Defendant was on probation or parole when the new crime is alleged to have been committed, the Defendant is to be **held for 15 days after arrest on the new charge** to allow the appropriate parole or probation authority time to file a petition to revoke the Defendant's probation or parole, unless otherwise ordered by a judicial officer. [See I.C. § 35-33-8-6.]

In columns with two figures, such as "$4,000 – $400", the higher amount is the full amount of the bail and the smaller amount is the 10% cash bond. If only one amount appears in a column, it refers to the full amount of the bail.	**Grant County Resident**	**Other Indiana Resident**	**Out of State Resident**	**Surety bonds may not be used for any person, whose identity cannot be verified and/or for a foreign national unlawfully in the United States. Only cash is accepted.**
Class C Misdemeanor: Cash Only	**$4,000 – $400**	**$8,000 – $800**	**$12,000 – $1,200**	**$12,000**
Class B Misdemeanor: Cash Only	**$4,500 – $450**	**$9,000 – $900**	**$13,500 – $1,350**	**$13,500**
Class A Misdemeanor: Cash Only	**$5,000 – $500**	**$10,000 – $1,000**	**$15,000 – $1,500**	**$15,000**
Class D Felony: Cash Only	**$6,000 – $600**	**$12,000 – $1,200**	**$18,000 – $1,800**	**$18,000**
Class D Felony Domestic Battery or Strangulation: Cash Only	**$10,000 – $1,000**	**$20,000 – $2,000**	**$30,000 – $3,000**	**$30,000**
Class C Felony: Cash Only	**$10,000 – $1,000**	**$20,000 – $2,000**	**$30,000 – $3,000**	**$30,000**
Class B Felony: Full cash bail or surety bond	**$20,000**	**$40,000**	**$60,000**	**$60,000**
Class A Felony: Full cash bail or surety bond	**$50,000**	**$100,000**	**$150,000**	**$150,000**
Murder	**None**	**None**	**None**	**None**

The foregoing was approved and adopted on December 8, 2011, by Steven J. Barker, Judge of Gas City City Court; Mark E. Spitzer, Judge of Grant Circuit Court; Jeff D. Todd, Judge of Grant Superior Court 1; Dana J. Kenworthy, Judge of Grant Superior Court 2; Brian F. McLane, Juvenile Magistrate of Grant Superior Court 2; Warren Haas, Judge of Grant Superior Court 3; and James F. Kocher, Judge of Marion City Court. [See General Order 27C01-1112-CB-000013.]

BAIL / BAIL BOND / 10% CASH BOND SCHEDULE FOR WARRANTLESS ARRESTS EFFECTIVE DECEMBER 8, 2011, FOR ALL COURTS IN GRANT COUNTY, INDIANA

[Gas City City Court; Grant Circuit Court; Grant Superior Courts 1, 2 & 3; & Marion City Court]

The **Bail/Surety Bond/10% Cash Bond** for cases filed in Gas City City Court; Grant Circuit Court, Grant Superior Court 1, Grant Superior Court 2, Grant Superior Court 3, and Marion City Court shall be as set out below, **unless otherwise ordered by a judicial officer in a specific case**. The term "bail" means the full amount (100%). The term "cash bond" refers to posting 10% of the amount of the bail. The term "surety bond" refers to paying a non-refundable fee (usually 10% of the bail) to an approved surety company, which in turn posts its guarantee to pay the full amount of the bail, if the Defendant fails to appear and the appropriate revocation procedures were followed. The term "cash" includes a credit card payment.

In all cases the Defendant must also pay the $5 special death benefit fee [see Ind. Code § 35-33-8-3.2(d)(1)].

If the Defendant posts a cash bond, a 10% administrative fee not to exceed $50 will be assessed. [See I.C. § 35-33-8-3.2(a)(2).]

The Defendant and any other person posting cash must execute an agreement authorizing the Court, if the Defendant is convicted, to use all or part of the cash to pay the following: 1) fines; 2) costs; 3) fees; 4) publicly paid costs of representation; and 5) restitution. [See I.C. § 35-33-8-1.5 and I.C. § 35-33-8-3.2(a).] In addition, the agreement must authorize the Defendant to use all or part of the cash to privately employ and pay an attorney to represent the Defendant in the criminal case. [See *State ex rel. Williams v. Ryan*, 490 N.E.2d 1113 (Ind. 1986).]

If the Defendant is a foreign national unlawfully present in the United States under federal immigration law, only a 100% cash bail may be posted.

A Defendant posting bail or the 10% cash bond by means of a credit card must pay the credit card service fee under I.C. § 33-37-6.

If the Defendant is a sexually violent predator defendant, as defined in I.C. § 35-38-1-7.5, or is arrested for or charged with the commission of an offense that would classify the person as a sex or violent offender, as defined in I.C. § 11-8-8-5, the Defendant may not be admitted to bail until a judicial officer has conducted a bail hearing in open court, which should be done within 48 hours after arrest unless exigent circumstances prevent holding the hearing within 48 hours. [See I.C. § 35-33-8-3.5.]

If the Defendant has been arrested without a warrant for any of the crimes listed in this paragraph, **the Defendant is to be held without bail** until a judicial officer sets bail. 1) **Domestic Battery, Intimidation, Invasion of Privacy, Sexual Battery, Stalking,** or **Strangulation**; 2) **False Reporting**, 3) **False Informing**, 4) **Identity Deception**; 5) **Leaving the Scene of an Accident**; or 6) **Resisting Law Enforcement**. If the Defendant is held without bail for one or more of these crimes, a judicial officer is to set bail **within 48 hours of the arrest**. If a judicial officer fails to do so, bail shall be set as shown below.

If the Defendant was arrested for a crime of domestic violence as described in I.C. § 35-41-1-6.3, the judicial officer may not authorize the Defendant to be released until at least 8 hours from the time of the arrest. [See I.C. § 35-33-8-6.5.]

When multiple crimes have been charged, use the bail that is listed for the highest level crime.