



ANNUAL REPORT

AN ANALYSIS OF REARREST RATES,
PRETRIAL RELEASE AND BAIL IN INDIANA

2021
EDITION

Guided by a Board of Trustees representing all components of Indiana's criminal and juvenile justice systems, the Indiana Criminal Justice Institute (ICJI) serves as the state's planning agency for criminal justice, juvenile justice, traffic safety, and victim services. The institute develops long-range strategies for the effective administration of Indiana's criminal and juvenile justice systems, and administers federal and state funds to carry out these strategies.

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INTRODUCTION

OVERVIEW

In 2020, the Indiana General Assembly enacted legislation, codified at IC 35-33-8-12, requiring the Indiana Criminal Justice Institute to collect and publish data on the rearrest rates in Indiana based on the number of individuals released on own recognizance and bail (less than \$1,000). Specifically, this includes the number of defendants released on personal recognizance who were rearrested before the disposition of the defendant's charges and the number of defendants released pursuant to the payment of money bail of \$1,000 or less who were rearrested before the disposition of the defendant's charges.

Under the law, the data shall be compiled in such a manner to present the rearrest rate for the state, each county and each circuit, superior, city, and town court, including each separate division of each court, if applicable. This is the first report and will include data from January 1, 2020, through December 31, 2020.

LIMITATIONS

Currently, Indiana does not have a system or network of systems to track individuals released on own recognizance or bail, the amount of bail or if they are rearrested prior to the disposition¹ of the prior offense. After gathering information from various criminal justice stakeholders including sheriffs, probation officers, Indiana Prosecuting Attorneys Council staff and Indiana Office of Court Services staff, it was determined the best source for obtaining this data was through the jails. However, the level of data available varies by jail and is based on the type and implementation of the jail management system (JMS) used. Based on our research of JMSs, ICJI was unable to locate a standard report that would include the information necessary to fulfill the requirements of IC 35-33-8-12. Depending on the JMS, queries could be submitted, but none of the jails in Indiana currently have these queries developed and would likely require assistance to do so. Queried information could include basic identifiers, bookings by date and bail information. In addition, not all jails currently enter bail amount into the system and, therefore, may not be able to track all of the individuals released on own recognizance or those with a bail amount of less than \$1,000.

¹ Disposition occurs when the indictment or information is dismissed, or the defendant is acquitted or convicted of the charges.

LIMITATIONS CONT

In many cases, bail and release information is entered into notes sections and would not be easily extracted. There would also be issues of distinguishing bonds less than \$1,000 from the many different bond options. Depending on how this information is entered, the JMS may not be able to distinguish between surety and cash bonds or be able to combine the total amounts. Furthermore, the language in the Indiana Code does not address whether the total bond should include total out-of-pocket expenses or only the cash portion of the bail.

Another significant data limitation is the inability to track if a person is released from one county and arrested in another prior to disposition of the prior case. For example, if an individual is released own recognizance in Johnson County, but gets arrested in Marion County prior to the disposition of charges from the first arrest, Johnson County may not have a record of that arrest and that person will go uncounted. ICJI would need access to all jail booking data to properly analyze and determine the true rearrest rate. While there are currently multiple efforts underway to gain access to this information, no system is currently available to provide the data. The Indiana Office of Court Services recently received funding to develop and implement a new JMS that would increase the ability to collect this data. At this time, a completion date is not known.

METHODOLOGY

Based on the aforementioned limitations, CJI worked with the Indiana Sheriff's Association to best determine a course of action to collect the needed data. It was decided to survey a sampling of counties for data, instead of contacting all 91 county jails. Six counties were initially identified and three counties (Allen, Boone and LaPorte) ultimately were able to provide the requested data. The data from each county is displayed in this report.

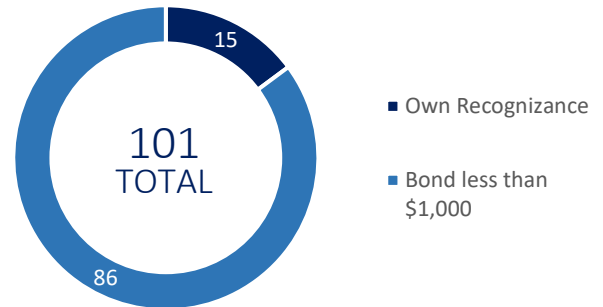


ANALYSIS

Note: The following pie charts are the Individuals released and rearrested prior to disposition, 2020

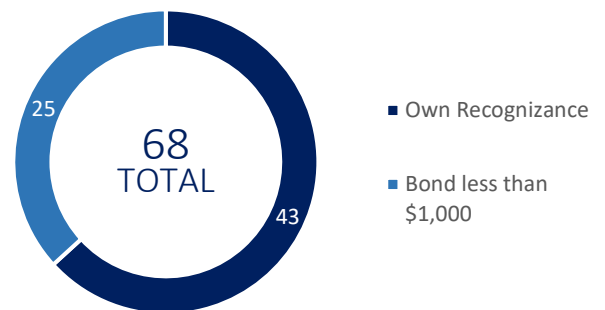
BOONE COUNTY

In Boone County in 2020, a total of 233 individuals were released on own recognizance, indicating that 6.4% were rearrested prior to the original case being disposed. Boone County showed 775 individuals were released on bond, demonstrating roughly 13% were arrested prior to disposition of the original charge. A total of 1,305 individuals were released from the Boone County jail in 2020. This includes 297 individuals who completed their sentence, 775 released on bond, and 233 released own recognizance. Looking at just the number of individuals that were released on bond or own recognizance only, 10% were rearrested prior to disposition of charges.



LAPORTE COUNTY

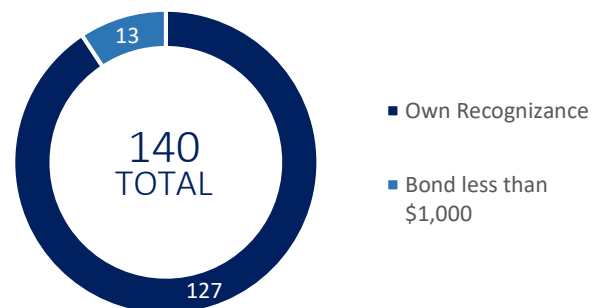
LaPorte County's data included the total bookings for individuals rearrested and whether the offense committed was a felony or misdemeanor. Forty-three individuals released on own recognizance were rearrested prior to disposition of the original charge. Twenty-three (53.4%) were arrested one additional time, 14 individuals had two arrests, three individuals had three arrests and three individuals were arrested four times waiting for disposition. Twenty-nine (67.4%) of the rearrests included a felony offense, ten (23/2%) arrests were for misdemeanor offenses and four (9.3%) were for other offenses.



Twenty-five individuals were released on \$1,000 or less bond and rearrested prior to disposition of the original charge in LaPorte County. Eleven individuals were rearrested once, 10 had two rearrests, two had three rearrests, one individual had four additional arrests and one was arrested five additional times. Eighteen (72%) of the rearrests included a felony offense, six (24%) rearrests were for misdemeanor offenses and one was for other offenses.

ALLEN COUNTY

Allen County was only able to provide the number of individuals released on own recognizance and the number released with a bail less than \$1,000. They were not able to provide any additional data; therefore, there is no further analysis related to Allen County.



MANAGEMENT PERFORMANCE HUB ARREST DASHBOARD

The data presented is not enough to truly understand the rearrest rate for individuals released on own recognizance or bond. To try to add context to the data, total arrests statewide and in Allen, Boone, Laporte counties are displayed in the table to the right. Information on total arrests and total individuals arrested was gathered from [MPH's Arrest Dashboard](#). The *Difference* columns show the difference from the total arrests and the total number of individuals arrested. This provides insight into how many individuals had multiple arrests during the year.

However, there are limitations with this data. There are no indications if individuals were rearrested prior to disposition. Individuals could have been arrested after serving a completed sentence or could have been released with no charges filed against them. Bail information is unknown for all individuals with this dataset. It is also unknown the number of arrests an individual had; therefore, the difference does not indicate the actual number of individuals with multiple arrests. For instance, in Boone County the difference in total arrests and total individuals arrested is 224. This could indicate that 224 individuals were arrested twice during the year or an unknown number of individuals less than 224 had more than one arrest during the year.

Total arrests and total individuals arrested, 2020			
County	Total arrests	Total individual arrested	Difference
Allen	12,568	9,161	3,407
Boone	1,508	1,284	224
Laporte	1,838	1,655	183
Indiana	150,086	110,250	39,836

**Source - MPH Arrests Dashboard*



CONCLUSION

FINDINGS

At this time, ICJI does not have access to an adequate amount of data to perform a full analysis per the requirements laid out in IC 35-33-8-12. The data presented in this report from Allen, Boone, and LaPorte counties serves to provide some insight to the state of rearrests in Indiana for 2020. ICJI is continuing to work with other stakeholders in the state to ensure the implementation of a robust data collection system that will allow for the eventual analysis of statewide data in future annual reports.

JAIL DATA TRANSFORMATION PROJECT

A statewide jail data project is currently in development. In Spring of 2020, the Indiana Department of Correction (IDOC) released a Request for Project Services to develop a new statewide Victim Notification System (VNS). The VNS notifies victims of offender's movements and releases from jail or prison. Currently, there are two victim notification systems available² and a few counties are not using either system. Even with so few notification systems, each JMS is installed as a unique interface at the jails and interacts with the VNSs differently. IDOC is working to procure a unified statewide VNS that would house offender data from all jail management systems used across the State, as well as information from correctional facilities, courts, prosecutors' offices and other sources. The unique sources of data collected from the approximately 20 different JMSs in 91 counties will need to be transformed into standardized data fields for intake by the VNS. Upon completion of this project, offender data from all 91 county jails will be housed in one location, with uniform data fields. It is anticipated this data would be available to ICJI to conduct further analysis on the rearrest of individuals released on own recognizance or a \$1,000 or less cash bond.

² *Statewide Automated Victim Information and Notification (SAVIN) and Victim Information and Notification Everyday (VINELink)*