

**LR06-CR00-BLR-15
CRIMINAL BAIL**

A. In all criminal cases coming within the jurisdiction of the Court and preliminary felony charges filed in the Court, the bail is now fixed as of the first day of each yearly term and each succeeding term hereafter as follows, and these amounts will be the only amounts set for bail for charges to be filed in the Circuit, Superior I and Superior II Courts of Boone County, unless otherwise ordered by the Courts:

OFFENSE/CLASS	SURETY BOND	CASH BOND
MURDER	NONE	NONE
METHAMPHETAMINE (All Meth Related Charges)	\$50,000.00	\$50,000.00
HEROIN (All Heroin Related Charges)	\$50,000.00	\$50,000.00
LEVEL 1 AND 2 FELONY	\$50,000.00	\$50,000.00
LEVEL 3 AND 4 FELONY	\$25,000.00	\$25,000.00
LEVEL 5 FELONY	\$10,000.00	\$10,000.00
INDIANA RESIDENTS:		
LEVEL 6 FELONY	\$5,000.00	\$550.00
CLASS A MISDEMEANOR	\$5,000.00	\$550.00
CLASS B MISDEMEANOR	\$4,000.00	\$450.00
CLASS C MISDEMEANOR	\$2,500.00	\$300.00
OUT OF STATE RESIDENTS ON LEVEL 5 FELONY AND LOWER OFFENSES:		
LEVEL 5 AND 6 FELONY	\$15,000.00	\$15,000.00
CLASS A MISDEMEANOR	\$5,000.00	\$2,500.00
CLASS B MISDEMEANOR	\$3,000.00	\$1,000.00
CLASS C MISDEMEANOR	\$2,000.00	\$1,000.00

B. NO BOND: Any person arrested on a charge of **Resisting Law Enforcement, Intimidation, Invasion of Privacy, Class A Misdemeanor or higher Battery (including Sexual Battery and Domestic Battery), Strangulation, or Stalking** shall be detained in custody without bond until initial hearing. Also, as further set forth herein, there is no bond for **Child Molesting** or **Child Solicitation**. At initial hearing, bond shall be set pursuant to the bond schedule above absent a request from the Prosecuting Attorney for an alternative bond.

C. NO BOND FOR CERTAIN SEX OFFENDERS WITHOUT A HEARING

Pursuant to I.C. 35-33-8-3.5 any person arrested on any charge

1. (a) who is already an I.C. 35-38-1-7.5 sexually violent predator and
(b) who is arrested for or charged with one or more of the following:
 - i. Rape
 - ii. Criminal deviate conduct
 - iii. (omitted intentionally)
 - iv. Child exploitation
 - v. Vicarious sexual gratification
 - vi. (omitted intentionally)
 - vii. Child seduction
 - viii. Sexual misconduct with a minor as a class A, B or C felony
 - ix. Incest
 - x. (omitted intentionally)
 - xi. Kidnapping where the alleged victim is less than 18 years of age
 - xii. Criminal confinement where the alleged victim is less than 18 years of age
 - xiii. Possession of child pornography
 - xiv. Promoting prostitution as a class B felony
 - xv. Promoting human trafficking where the alleged victim is less than 18 years of age
 - xvi. Sexual trafficking of a minor
 - xvii. Human trafficking if the victim is less than 18 years of age.
 - xviii. (omitted intentionally)
 - xix. Voluntary manslaughter;

- xx. An attempt or conspiracy to commit any of the charges listed above in a-t and also (1) attempted child molesting, (2) conspiracy to commit child molesting, (3) attempted child solicitation, (4) conspiracy to commit child solicitation, (5) attempted sexual battery, (6) conspiracy to commit sexual battery, (7) attempted murder, or (8) conspiracy to commit murder;

or

2. who is charged with child molesting;

or

3. who is charged with child solicitation

shall be detained in custody without bond until initial hearing.

D. MULTIPLE CHARGES WITHIN A CAUSE NUMBER: If a person has multiple charges, bond shall be posted on the most serious charge only. If the listed bond amount is inappropriate under the circumstances, the Prosecuting Attorney shall bring such circumstances to the attention of the court by written or oral motion.

E. BOND NOT AVAILABLE FOR PERSON ON PROBATION PAROLE OR PREVIOUS BOND: This bond schedule shall not be used for any person arrested for a crime when it can be reasonably determined that the person was on probation, parole, bond or release on the person's own recognizance for another offense. In such case, the person shall be detained in custody until the Court establishes the bond.

F. BOND AMOUNT ON WARRANT ARREST: Upon issuance of a criminal bench warrant, the amount of bail specified shall be endorsed upon the warrant. The Court may increase or diminish the amount specified or permit the posting of cash bond in lieu of accepting any property or surety bond in any justifiable cause.

G. CLERK'S FEE: The Clerk may assess a ten percent (10%) administrative fee per statute on all cash bonds.

H. APPLICABLE TO SUPERIOR II ONLY: The schedule of fines and penalties established by Superior II for infraction matters as adopted in September 1, 1981, and as amended April 10, 1984, and as may be subsequently amended by Superior II are now incorporated herein and made a part of this Order.

I. CASH BONDS: All cash bonds shall be posted with the Boone County Clerk or the Boone County Sheriff. Cash bonds may be used to pay fines, court costs, and other financial obligations of the defendant in any Boone County Cause. In addition, the bond may be used to reimburse the county for the cost of court appointed counsel and for an administrative fee as authorized by I.C. 35-33-8-3.2 (a)(2)(B).

J. BOND REDUCTIONS: Pre-trial Motions for bond reductions shall be presented to the Court in writing and proper notice of the hearing scheduled thereon shall be given to the Prosecuting Attorney. Notwithstanding any pre-trial motion for bond reduction, at the Initial Hearing a Defendant's bond may be reduced at the discretion of the Judge, with or without the presence of the State of Indiana.

K. DOMESTIC VIOLENCE ARREST. Any person arrested and held in custody for a crime of domestic violence (as described in *IC 35-41-1-6.3*) shall be kept in custody and not released for at least eight (8) hours from the time of the arrest. Such a person, regardless of when an initial hearing may be held and bond set, may not be released on bail until at least eight (8) hours from the time of the person's arrest. This rule is promulgated to comply with I.C. 35-33-1-6 and is in conformance therewith.

L. DETENTION OF PERSON ARRESTED FOR ALCOHOL RELATED OFFENSE. When a person is arrested and held in custody for an alcohol related offense, that person may be detained pending release notwithstanding the posting of bond by the jail pursuant to the following schedule.

[Incorporated herein by reference as if fully set forth herein the table entitled Hours After Initial Reading is taken from I.C. 35-33-1-6.]

Note: In order to find when a person will reach the legal blood or breath alcohol level, find the blood or breath alcohol level reading in the left hand column, go across and find where the blood or breath alcohol level reading is an alcohol concentration equivalent (as defined in [IC 9-13-2-2.4](#)) to below eight-hundredths (0.08) gram of alcohol per one hundred (100) milliliters of the person's blood or per two hundred ten (210) liters of the person's breath, then read up that column to find the minimum number of hours before the person can be released.

M. SUPERSEDES: This Bail Bond Schedule supersedes all previous Bail Bond Schedules ordered by the Circuit and Superior Courts of this County.

(Amended effective July 1, 2014)