

## **CRIMINAL RULES**

### **LR15-CR-1 BAIL**

In all criminal matters coming within the jurisdiction of the Dearborn Circuit Court, Dearborn County Superior Court No. 1, and/or Dearborn Superior Court II, in which an arrest has been made and misdemeanor, felony or murder charges are pending, the following bond schedule shall apply unless otherwise ordered by the Court.

**A. A PERSON CHARGED WITH ANY OF THE FOLLOWING CRIMINAL OFFENSES IS NOT ELIGIBLE TO POST BAIL WITHOUT PERSONALLY APPEARING BEFORE A JUDGE AT AN INITIAL HEARING AND THE BOND SCHEDULE DOES NOT APPLY**

1. Any person charged with Murder;
2. Any person charged with any Class A, B, or C Felony or Level 1, 2, 3, 4, or 5 Felony;
3. Any person charged with a crime involving Domestic Violence which shall include the felony or misdemeanor offenses of Domestic Battery, Strangulation, Battery on a Child, Intimidation, Confinement, Invasion of Privacy or Stalking
4. Any person arrested for Resisting Law Enforcement, Battery on a Police Officer, or Escape from Home Detention Program;
5. Any person arrested for Non-Support of a Dependent Child;
6. Any person charged with Habitual Offender or is shown to have two (2) or more prior felony convictions;
7. Any person currently on probation or parole;
8. Any person currently on Southeast Regional Community Corrections Road Crew, Work Release, or In Home Incarceration;
9. Any person currently on release on bond for a Level 1,2,3,4,5 or 6; or A, B, C, or D Felony offense;
10. Any person charged with Operating a Vehicle While Intoxicated who has two (2) or more prior Operating a Vehicle While Intoxicated convictions;
11. Any person who has been returned to Indiana from another state to face criminal charges; and
12. Any person who has been arrested in Indiana as a fugitive from another state.

The bond will be determined by the Judge at the initial hearing based on criminal history, risk for failure to appear and community safety concerns as provided by statute.

**B. BOND SCHEDULE FOR MISDEMEANORS, D FELONY, AND LEVEL 6 FELONY OFFENSES THAT ARE ELIGIBLE FOR BOND (IF PARAGRAPH A DOES NOT APPLY)**

	<i>Class D Felony Or Level 6 Felony</i>	<i>Class A Misdemeanor</i>	<i>Class B Misdemeanor</i>	<i>Class C Misdemeanor</i>
<i>Indiana Resident</i>	<b>\$1000 Cash Only</b>	<b>\$750 Cash Only</b>	<b>\$500 Cash Only*</b>	<b>\$500 Cash Only*</b>
<i>Out of State Resident</i>	<b>\$1000 Cash Only AND \$1000 Surety</b>	<b>\$7500 Cash Only AND \$1000 Surety</b>	<b>\$500 Cash Only</b>	<b>\$500 Cash Only</b>

\* A Dearborn County resident that is arrested for a Class B Misdemeanor and/or Class C Misdemeanor, may be released on their own recognizance if the NCIC criminal history shows no prior criminal arrests.

**C. CASH BONDS:**

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

**D. MULTIPLE CHARGES WITHIN A CAUSE NUMBER:**

If a person has multiple charges, bond shall be posted on the most serious charge only.

**E. APPEARANCE IN COURT:**

All persons released on bail prior to the initial hearing shall appear for their initial hearing at 9:00 A.M. on the next business day for court proceedings. All persons shall be further advised that a failure to appear will result in revocation of bail and the issuance of an arrest warrant for failure to appear.

**F. DEVIATION FROM BOND SCHEDULE:**

The Judge on-call and the Prosecutor on-call shall be notified by the jail commander or designee if any exceptional circumstances exist in a particular case which may warrant a deviation from this Bail order.

This amendment supersedes all previous bail bond schedules ordered by the Circuit and Superior Courts of this County including attachment 1 to the local rules.

*(Amended effective July 1, 2014).*