

## **CRIMINAL APPENDIX B BAIL BOND SCHEDULE**

### **A. Conditions of Bond**

All bail bonds posted by defendants are subject to the following conditions:

- 1) Defendant shall appear in Court at all times required by the Court;
- 2) Defendant shall not leave the State of Indiana without the prior written consent of the Court;
- 3) Defendant shall not commit or be arrested for another criminal offense;
- 4) Defendant shall keep his attorney and the Court informed in writing of any change of address within 24 hours of such change; and
- 5) any other conditions ordered by the Court including reporting to the Probation Department as ordered for preparation of pre-sentence reports and evaluations by Court Referral Program.

Violation of any condition may result in revocation of bond and issuance of an arrest warrant.

### **B. OWI and Controlled Substance Offenses**

The following offenses shall require a cash only bond in the amount of \$1,000. No surety bonds will be permitted unless ordered by the Circuit or Superior Courts.

- 1) OWI Misdemeanor Offenses:
  - Operating With .08 BAC, I.C. 9-30-5-1 (a)
  - Operating With .15 BAC, I.C. 9-30-5-1 (b)
  - Operating With Controlled Substance, I.C. 9-30-5-1 (c)
  - Operating While Intoxicated, I.C. 9-30-5-2
- 2) Controlled Substance Misdemeanor Offenses:
  - Possession of a Substance Represented to be a Controlled Substance, [Class A Misdemeanor]
  - Dealing in Marijuana, Hash Oil or Hashish, I.C. 35-48-4-10 [except as Class C Felony, -10(b) (2)]
  - Possession of Marijuana, Hash Oil or Hashish, I.C. 35-48-4-11, as a class A misdemeanor
  - Visiting or Maintaining a Common Nuisance, I.C. 35-48-4-13

**C. Felonies**

<b>Offense</b>	<b>Surety Bond</b>	<b>Cash Bond</b>
Murder	No Bond	No Bond
Level 1	\$50,000	\$10,000
Level 2	\$30,000	\$6,000
Level 3	\$20,000	\$4,000
Level 4	\$15,000	\$3,000
Level 5	\$10,000	\$2,000
Level 6	None	\$1,000
Habitual Offender	\$40,000	\$8,000
Failure to Appear	Hearing Required	

**D. Misdemeanors**

<b>Offense</b>	<b>Cash</b>
Class A	\$600

Class B and C shall be booked at the jail and then released on their promise to appear on a given court date unless the subject is under the influence of drugs, alcohol, or a combination thereof in which case the cash bond is \$500.

**E.** The Court in its discretion may, on its own motion or the motion of the Prosecuting Attorney, fix bond in an amount different from the above schedule.

**F. Motion for Bond Reduction and Property Bond**

All pre-trial motions for bond reduction or requests for approval of property bond shall be presented to the Court in writing and may be scheduled for hearing upon proper notice to the Prosecuting Attorney.

**G. Multiple Charges**

This bond schedule shall apply to the highest charge pending against a person if multiple charges are or may be filed.

## **H. Arrest While on Probation, Parole or Bond**

This bond schedule shall not be used for nor be applicable in the case of a person who has been arrested for a crime while on probation, parole, or released on bond for another charge. In such case, the Court shall determine the proper amount of bond, if any.

## **I. No Contact Conditions**

Pursuant to I.C. 35-33-8-3.2 (a) (4), a person who is arrested for any of the offenses listed below shall be held for 12 hours before release from custody, unless released sooner pursuant to a court order. The release of such person on bail shall be conditioned upon the person having no direct or indirect contact with the alleged victim or any other individual involved in the circumstances of the offense while the charge or case is pending. The Prosecuting Attorney shall petition a Judge for a written no-contact order when a criminal information is filed with the Court. The person to be released shall be notified of the no-contact condition of the bond by a letter from the Sheriff with receipt acknowledged by the person, in substantially the form set forth in the attached Appendix C.

The applicable offenses are as follows:

I.C. 35-42-2-1	Battery
I.C. 35-42-2-1.3	Domestic Battery
I.C. 35-42-2-1.5	Aggravated Battery
I.C. 35-42-2-2	Criminal Recklessness/Hazing
I.C. 35-42-2-3	Provocation
I.C. 35-42-2-6	Battery by Bodily Waste
I.C. 35-42-3-2	Kidnapping
I.C. 35-42-3-3	Confinement
I.C. 35-42-3-4	Interference with Custody
I.C. 35-42-4-1	Rape
I.C. 35-42-4-2	Criminal Deviate Conduct
I.C. 35-42-4-3	Child Molesting
I.C. 35-42-4-4	Child Exploitation
I.C. 35-42-4-5	Vicarious Sexual Gratification

I.C. 35-42-4-6	Child Solicitation
I.C. 35-42-4-7	Child Seduction
I.C. 35-42-4-8	Sexual Battery
I.C. 35-42-4-9	Sexual Misconduct
I.C. 35-43-2-1.5	Residential Entry
I.C. 35-43-2-2	Criminal Trespass
I.C. 35-45-2-1	Intimidation
I.C. 35-45-2-2	Harassment
I.C. 35-45-2-5	Interference with Reporting a Crime
I.C. 35-45-4-5	Voyeurism
I.C. 35-45-9-4	Criminal Gang Intimidation
I.C. 35-45-10-5	Stalking
I.C. 35-46-1-15.1	Invasion of Privacy
I.C. 35-46-1-3	Incest
I.C. 35-46-1-4	Neglect of a Dependent
I.C. 35-47-4-3	Pointing a Firearm

**J. Application of Bond to Financial Obligations**

The balance of the cash bond, after fees retained by the Clerk for the Bond Administration Fund, shall be applied to any financial obligation imposed by the Court in its disposition of the case, in the following order unless otherwise ordered by the Court: Bond administrative fee, Court Referral Program fee, Probation User fees, Drug Court fee, Public Defender fees, child support, restitution, fines, court costs, Drug Interdiction fee, Domestic Violence fees, and any other fees.

*(Amended effective July 1, 2014)*