

BAIL ORDER

Effective July 1, 2014, the following bail procedures shall be in effect for all persons whose appearance is required in Ohio Circuit Court. This Order supersedes all previous bail orders.

PERSONS NOT ELIGIBLE TO POST BAIL WITHOUT PERSONALLY APPEARING BEFORE A JUDGE OR MAGISTRATE AT AN INITIAL HEARING

1. Any person charged with Murder.
2. Any person charged with a Class A, B or C felony or a 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 battery, intimidation, confinement, invasion of privacy, or any violation of a protective order.
4. Any person charged with habitual offender or is shown to have two (2) or more felony convictions.
5. Any person known to be currently on probation or parole.
6. Any person currently on release on bond for a felony offense.
7. Any person charged with Operating a Motor Vehicle While Intoxicated who has two (2) or more prior Operating a Vehicle While Intoxicated convictions.
8. Any person who has been returned to Indiana from another state to face criminal charges.
9. Any person who has been arrested in Indiana as a fugitive from another state.

All persons arrested for a criminal offense who have not posted bail shall be brought by the Sheriff to the Ohio Circuit Court on the first working day that is a Monday or Thursday at 1:30 p.m. or Friday at 9:00 a.m. following the day of his or her arrest for the purpose of an initial hearing. If a holiday occurs on a Monday, the initial hearings that would have been scheduled for that day will occur on the following Tuesday at 1:30 p.m.

THE BAIL SCHEDULE FOR ALL OTHER ARRESTS

| | Level 6 Felony D felony | | A Misd. | B or C Misd. | OWI | OR |
|-----------------------|-------------------------------------|--|-------------------------------------|-------------------------------------|-------------------------------------|---|
| Indiana Resident | \$500 cash | | \$400 cash | \$250 cash | \$500 cash | B or C Misd. With no prior history (other than traffic offenses) – REQUIRES JUDGE OR MAGISTRATE APPROVAL |
| Out of State Resident | \$600 cash plus \$1500 surety | | \$500 cash plus \$1500 surety | \$250 cash plus \$1000 surety | \$500 cash plus \$1500 surety | N/A |

Any person arrested on a criminal Failure to Appear Warrant or Body Attachment, the bond is the amount listed on the Warrant/Attachment. If a bond amount is not listed, the person must appear before the Judge or Magistrate on the first working day that is a Monday or Thursday at 1:30 p.m. or Friday at 9:00 a.m. following the day of his or her arrest for the purpose of a hearing. If a holiday occurs on a Monday, the hearings that would have been scheduled for that day will occur on the following Tuesday at 1:30 p.m.

All cash bonds shall become a personal asset of the Defendant and shall be held in trust by the Clerk of Courts for payment of fines, court costs, restitution, judgment, public defender reimbursement and lawful detention fees.

When multiple charges are filed against a person on the same arrest, the bond shall be set by the most serious charge placed against the Defendant.

Release on Own Recognizance ("OR" bond) requires the expressed authority of the Judge or Magistrate prior to the Defendant's release.

All persons released on bail prior to the initial hearing shall appear for their initial on the first working day that is a Monday or Thursday at 1:30 p.m. or Friday at 9:00 a.m. following the day of his or her arrest for the purpose of an initial hearing. If a holiday occurs on a Monday, the initial hearings that would have been scheduled for that day will occur on the following Tuesday at 1:30 p.m.

Any Defendant(s) housed at a law enforcement center that has video arraignment /audiovisual telecommunication capabilities that are compatible with this Court's video arraignment / audiovisual telecommunication system may, at the Court's discretion, have a video initial hearing rather than be transported by the Sheriff to the Ohio Circuit Court so long as the hearing complies with the requirements of Indiana Administrative Rule 14 as it now exists or is amended in the future and the arrangements are made in advance of the hearing date and time.

Hearings are held at the Ohio Circuit Court, 413 Main St., Rising Sun, Indiana (2nd floor). If a Defendant fails to appear for the initial hearing, the bail will be revoked and a warrant issued for the arrest of the Defendant for failure to appear.

If there are any doubts or concerns about whether the Defendant should be able to post bond according to this schedule, the Sheriff is instructed to contact Judge Humphrey or Magistrate Schmaltz prior to the Defendant posting bond.

(Amended July 1, 2014)