



ANNUAL BAIL REPORT

FOURTH EDITION | 2023 Data

Report Released: July 2024



Indiana Criminal Justice Institute
402 W. Washington Street, Rm W469 & W160
Indianapolis, IN 46204

(317) 232- 1233
<https://www.in.gov/cji/>



ABOUT ICJI

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.

ICJI Research Division

Christine Reynolds, Research Division Director

Lisa Moore, Research Analyst

Rylee Screeton, Research Analyst

Adam Winkler, Research Analyst

TABLE OF CONTENTS

4	Introduction
4	Overview of Legislation
4	Data and Methodology
5	Limitations
7	Findings
7	Defining Terms
7	Overall Totals and Rates
9	County Level Totals and Rates
11	Offense Level Totals and Rates
13	Conclusions & Recommendations
14	Contact Information

Introduction

Overview of Legislation

In 2020, the Indiana General Assembly enacted legislation, codified at IC 35-33-8-12, mandating the Indiana Criminal Justice Institute (ICJI) to annually collect and publish a report on bail information and rearrests in Indiana. Originally, the report was required to include the number of defendants released on personal recognizance¹ and bail (less than \$1,000) who are rearrested before the disposition of the defendant's charges. In the 2024 legislative session, the statute was revised to remove the monetary amount on bail, now including all those released pursuant to the payment of money bail, and include the rate of defendants who are charged with another offense before the disposition of the defendant's prior charge. This report covers data from 2023 and follows the changes to the statute revision, which became effective July 1, 2024.

Under the law, the data shall be compiled in such a manner to present the rate at which defendants are charged with another offense before the disposition of the defendant's prior charges for the state and for each county. This is the fourth annual report and includes data from arrests occurring January 1, 2023, through December 31, 2023.

Data & Methodology

The data in this report was collected from jail booking information from 36 out of the 91 county jails in Indiana, and court disposition data provided by the Indiana Office of Court Technology (IOCT). The jail data is input at the county level into a jail management system (JMS). Through an upgrade and improvements to the current Victim Notification System (VNS) and the implementation of the Data Transformation Solution (DTS), data from each JMS is collected and stored on a secure server. This is necessary, as approximately 20 different JMSs are used throughout the state, and the DTS will act as a central repository to store data from each county and allow ICJI to access the information. Only 36 counties have been fully integrated into the DTS.

Moser Consulting, Inc. is the vendor selected to complete the VNS upgrades and to complete the DTS process. They provided data for individuals arrested in 2023 for this report. The Indiana Management Performance Hub (MPH) received the data from Moser Consulting, Inc. MPH matched the defendants from the jail data to the court disposition data received from the IOCT. The ICJI received the matched records of defendants who were arrested and had a court filing in 2023. This dataset was used for the analysis contained in this report.

The raw data underwent cleaning and preparation to ensure accuracy and consistency across counties. This process included removing ineligible cases (e.g., outside of 2023, non-releases, non-criminal cases), completing missing information (e.g. bond type, release type, dates), and standardizing categories across counties. Analysis was conducted using specialized software to match jail data with court dispositions, to identify the number of defendants rearrested and charged with another offense before the disposition of the defendant's prior charges², and to calculate rates.

¹ Personal recognizance and own recognizance are used interchangeably by counties and are referred to as Own Recognizance (O.R.) in this report.

² There must be an arrest for an individual to appear in the dataset, and all cases in the dataset are cases that resulted in charges filed. In order to be included in the dataset, the defendant must be entered into the jail management system (JMS), which requires an arrest; and the defendant must be matched to the court data, which requires charges being filed.

The following key data points were identified from the analysis, which are discussed in the [Findings](#) section:

- » Overall rates and totals, including:
 - ◇ The number of defendants with a single arrest (were not rearrested and not charged with another offense before the disposition of prior charges).
 - ◇ The number of defendants with multiple arrests.
 - ◇ The number of defendants rearrested and charged with another offense prior to the case being disposed.
 - ◇ The number released on bail and the number released on their Own Recognizance (O.R.).
- » County-level totals and rates of defendants rearrested and charged with another offense.
- » Offense-level totals and rates of defendants rearrested and charged with another offense.

Limitations

ICJI encountered many limitations while working with this data. Due to the large dataset, variation between counties, lack of standardization, and lack of data input in some fields, the reliability of data across counties is limited. Additionally, data entry errors and matching errors limit the accuracy and confidence of the rate at which defendants are rearrested and charged with another offense. Furthermore, data is dependent upon the date the county ‘went live’ with DTS and only includes a snapshot of offenders incarcerated at that moment in time and all arrests from that date forward. DTS does not contain historical information, therefore some counties do not have complete records for 2023. Due to these limitations, ICJI advises caution when interpreting the rates of those arrested and charged, released on Bail or O.R., and those rearrested and charged with another offense.

Missing Data

The most challenging aspect of data cleaning involves missing, inconsistent, or incomplete cause numbers³. These identifiers are crucial for matching and verifying court cases, and their absence can make this process difficult and sometimes impossible. Furthermore, without cause numbers, it may be difficult to determine if an incident falls within the 2023-year period, as cause numbers are essential for filtering and verifying the year the offense occurred.

County Variation

There are several different JMS used by counties across the state to enter the information included in this report. Each JMS has slight variations in the information required and how it is entered. In addition to data entry variations across counties, there are differences in the bail-setting idiosyncrasies⁴ by county that are time-consuming to review and require the discretion of the researchers to categorize.

Data Entry Errors

While infrequent, some data entry errors caused issues with data cleaning and analysis. Notably, there were some instances when the disposition date was clearly incorrect. This creates problems with calculating the rate of defendants rearrested and charged with another offense since the disposition and

³ A combination of letters and numbers used to identify a case filed in court.

⁴ Each county has different options for bail, for example, Clark County inputs “Clark Cash” as an indicator of a surety bond; some counties only offer cash or surety; other counties may have other options such as “four-way” or different percentages for surety bonds.

arrest dates were used to determine if they were rearrested and charged with another offense before the disposition of the prior case. There were also some errors in the entry of names and birthdates, which impacted the ability to match cases across datasets.

Matching Errors

Some errors also occurred through the process of cleaning the data. For example, while matching the court data and the jail data, many cases could not be matched due to differences in the datasets by names and birthdates. For example, there were several instances in which birthdates were either entered incorrectly or the month and day were swapped. Also, there were many occurrences of matching errors for individuals with more than one last name, different last names, hyphenated last names, and more than one first name or middle name.

Caution with Interpretation

In addition to the limitations above, there were several other reasons for cautioning against direct comparison between years for the rates of defendants rearrested and charged with another offense before the disposition of their prior offense. First, the dataset was expanded from 33 counties in the 2023 report to 36 counties in this report. Second, recent legislative changes to the statute have altered the criteria for inclusion in this report regarding a limit on monetary amount on bail, which greatly increased the number of cases included in the analysis. Third, the data collection timeline had a stricter time boundary in this year's report, and the 2023 report did not. The longer the timeline away from the arrest before the disposition, the more time there is to be rearrested and charged with another offense. This change in methodology could contribute to an apparent decrease in the rates at which individuals were rearrested and charged with another offense that may not reflect actual changes. Fourth, since less individual case reviews were conducted this year due to time constraints and the increase in the amount of data, some instances of defendants being rearrested and charged with another offense may have been missed. Fifth, a greater reliance on the JMS entries was needed this year, which may not always reflect the most current or accurate information. For all these reasons, any year-to-year comparisons should be made with extreme caution, and the focus should be on the insights provided by this year's data in isolation, rather than on trends over time.

Findings

Defining Terms

Unique Arrests: After cleaning the data, there were a total of 40,657 “unique arrests”. This total includes both individuals with only one arrest, as well as those with multiple arrests.

Released: Of the 40,657 unique arrests, 37,939 defendants were released. Arrests were excluded if the bond type suggests the individual was not released and would not be suitable for calculating a rate of being rearrested and charged with another offense, such as: serving time, time served, transfer, warrant, hold without bond, no bond, no charge, lock-up, charges dismissed, or escape. Arrests that were included and considered as “released” were those released on bond (Bail), released on personal or own recognizance (O.R.), or an Unknown release type. This total was used for calculating the number of defendants rearrested and charged with another offense.

Bail: Arrests that had a bond type listed, including any type of monetary bond, were labeled as Bail and the bond types included were: cash, surety, combinations of cash and surety, county-specific monetary bond types, and full amount.

O.R.: Arrests that had any type of release without payment as their bond type were labeled as O.R., which includes personal recognizance, O.R.’d, Own Recognizance, etc.

Unknown: Arrests that were listed as less clear bond types but suggested that the defendant had been released at some point, were labeled as Unknown. Unknown release types included: booking, failure to appear (FTA), released to supervision, released, violation of pretrial release, NS⁵, other, pre-sentence, probation violation, or INCite (coding placeholder for unknown).

Overall Totals and Rates

Total Unique Arrests

For 2023, there were 40,657 defendants with unique arrests in total. Of those, 37,939 were released, with 25,759 released on Bail, 7,789 released on O.R., and 4,391 Unknown releases.

Total Defendants with Multiple Arrests

Multiple arrests means that defendants had more than one case (more than one arrest date and cause number) in 2023, but those cases may have been prior to *and/or* after the disposition of the prior charge. Of the 40,657 defendants that were arrested in 2023, there were 16,329 defendants with multiple arrests during 2023. Of those, 14,748 were released, with 9,736 released on Bail, 2,684 released on O.R., and 2,328 Unknown releases.

Total Defendants Rearrested and Charged with Another Offense

Of those released, 6,024 defendants were rearrested and charged with another offense before the disposition of their prior charges. Of those, 5,436 were released, with 3,543 released on Bail, 1,008 released on O.R., and 885 Unknown releases. See Table 1 for a summary of the totals.

⁵ NS possibly stands for non-specified.

Table 1. Total Arrests for 2023

	Total Arrests	Released	Released		
			Bail	O.R.	Unknown
Total Unique Arrests	40,657	37,939	25,759	7,789	4,391
Total Defendants with Multiple Arrests	16,329	14,748	9,736	2,684	2,328
Total Rearrested and Charged w/ Another Offense	6,024	5,436	3,543	1,008	885

Table 2 shows the number of cases where defendants were arrested and released, and then rearrested and charged with another offense, by bail type. There was a total of 37,939 cases in which defendants were arrested and released in 2023. Of these, 32,503 were not rearrested and not charged with another offense before the disposition of the prior charges within the calendar year. The remaining 5,436 were rearrested and charged with another offense before the disposition of the prior charges within the calendar year for an overall rate of being rearrested and charged with another offense of 14.3%. Overall, the category of releases with the highest rate of individuals rearrested and charged with another offense was Unknown releases. It was slightly more likely for defendants to be rearrested and charged with another offense while on Bail (13.8%), than being rearrested and charged with another offense while on O.R. (12.9%).

Table 2. Rearrest Rates by Release Type

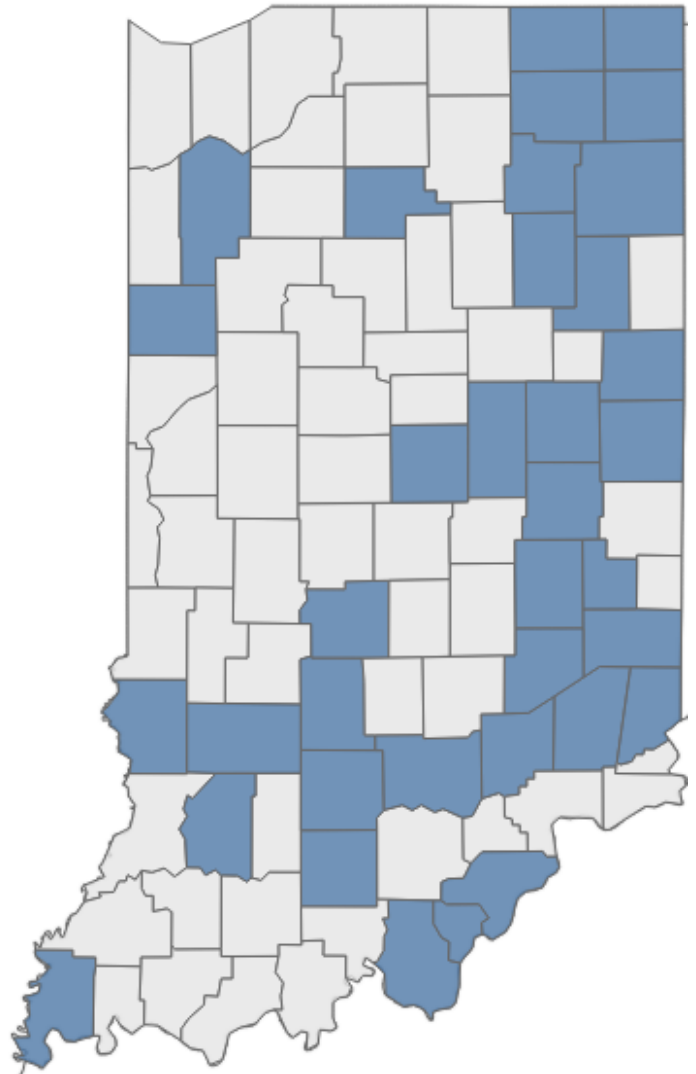
	Not Rearrested	Rearrested*	Bail Type Total	Rearrest Rate*
Bail	22,216	3,543	25,759	13.8%
O.R.	6,781	1,008	7,789	12.9%
Unknown	3,506	885	4,391	20.2%
Total	32,503	5,436	37,939	14.3%

*Rearrest: rearrested and charged with a new offense before the disposition of the prior offense.

County Level Totals and Rates

Table 3 shows the number of defendants arrested and then released, the number rearrested and charged with another offense, and the rate at which defendants are rearrested and charged with another offense by county for each bail type: Bail (any monetary bail), O.R., or Unknown release. The rates of being rearrested and charged with another offense in Table 3 are calculated by taking the total per county per release type, divided by the number of individuals rearrested and charged with another offense in the county by bail type. For example, for the Allen County rates, there were 2,123 total released on Bail after initial arrests, and 460 of those released on Bail were rearrested and charged with another offense $(460 \div 2,123) \times 100 = 21.7\%$, meaning, those released on Bail in Allen County were rearrested and charged with another offense at 21.7%.

The number of defendants released on Bail, O.R., or Unknown varies by county due to differences in pretrial release practices in different counties, as well as different data entry practices by county. For example, the majority of defendants released in Lawrence County are Unknown releases, because most of their cases were entered as simply 'Inmate Released' for their release type. However, the majority of cases in Hamilton County are Bail releases, and the largest group of releases from Allen County are O.R.



Note. The counties highlighted in blue are the 36 counties included in this report analysis. Counties are listed in Table 3.

Table 3. County Rate of Rearrests and Charged with Another Offense, by Bail Type

County	Rearrested*			Total			Rearrest Rate* (%)		
	Bail	O.R.	Unknown	Bail	O.R.	Unk	Bail	O.R.	Unknown
Allen	460	520	209	2,123	2,492	835	21.7%	20.9%	25.0%
Benton	7	4	2	178	64	4	3.9%	6.3%	50.0%
Clark	407	72	5	2,088	764	19	19.5%	9.4%	26.3%
Daviess	13	36	12	137	247	104	9.5%	14.6%	11.5%
Dearborn	18	2	11	473	123	201	3.8%	1.6%	5.5%
Decatur	60	12	18	515	119	69	11.7%	10.1%	26.1%
DeKalb	27	6	1	410	62	8	6.6%	9.7%	12.5%
Delaware	286	2	69	1,536	8	174	18.6%	25.0%	39.7%
Fayette	55	13	4	350	92	33	15.7%	14.1%	12.1%
Floyd	103	11	6	1,055	49	51	9.8%	22.4%	11.8%
Franklin	19	7	5	148	56	15	12.8%	12.5%	33.3%
Fulton	29	5	12	239	83	46	12.1%	6.0%	26.1%
Greene	40	1	14	388	13	76	10.3%	7.7%	18.4%
Hamilton	224	31	19	1,547	1,607	142	14.5%	1.9%	13.4%
Harrison	61	0	0	529	0	5	11.5%	-	-
Henry	168	25	7	1,486	146	25	11.3%	17.1%	28.0%
Huntington	31	0	21	495	0	152	6.3%	-	13.8%
Jackson	75	29	20	823	218	151	9.1%	13.3%	13.2%
Jasper	49	0	14	564	1	42	8.7%	-	33.3%
Jay	75	2	8	341	8	21	22.0%	25.0%	38.1%
Jennings	125	7	10	628	25	29	19.9%	28.0%	34.5%
Lagrange	51	3	8	553	8	76	9.2%	37.5%	10.5%
Lawrence	0	0	82	3	0	625	-	-	13.1%
Madison	224	102	91	1,517	799	641	14.8%	12.8%	14.2%
Monroe	226	47	115	1,663	155	233	13.6%	30.3%	49.4%
Morgan	100	6	29	922	94	123	10.8%	6.4%	23.6%
Noble	105	22	28	781	194	110	13.4%	11.3%	25.5%
Orange	63	7	4	554	21	28	11.4%	33.3%	14.3%
Posey	56	17	5	512	133	32	10.9%	12.8%	15.6%
Randolph	62	0	10	332	5	41	18.7%	-	24.4%
Ripley	38	4	5	229	11	10	16.6%	36.4%	50.0%
Rush	52	3	11	415	10	28	12.5%	30.0%	39.3%
Steuben	109	3	5	787	44	20	13.9%	6.8%	25.0%
Sullivan	19	2	5	255	11	54	7.5%	18.2%	9.3%
Wells	45	2	9	364	49	85	12.4%	4.1%	10.6%
Whitley	39	4	6	609	23	45	6.4%	17.4%	13.3%
TOTAL	3,521	1,007	880	25,549	7,734	4,353	13.8%	13.0%	20.2%

*Rearrest: rearrested and charged with a new offense before the disposition of the prior offense.

Offense Level Totals and Rates

Table 4 shows the total number and the percentage of those released on Bail, O.R., or Unknown release type by their offense level based on the most serious offense charged. This table only shows the breakdown of the number of cases by bail type and offense level, not the rate of being rearrested and charged with another offense. Across all bond types, the offense level with the greatest number of cases and percentage of those released is Criminal Misdemeanors (A-C), followed by Level 6 felonies.

Table 4. Bail Type and Offense Level

Offense Level	Bail		Own Recognizance		Unknown		Total	
	Number of Cases	Percent	Number of Cases	Percent	Number of Cases	Percent	Number of Cases	Percent
Level 1 felony	153	0.6%	6	0.1%	21	0.5%	180	0.5%
Level 2 felony	400	1.6%	19	0.2%	76	1.7%	495	1.3%
Level 3 felony	451	1.8%	37	0.5%	46	1.1%	534	1.4%
Level 4 felony	784	3.1%	76	1.0%	97	2.2%	957	2.5%
Level 5 felony	2,679	10.5%	428	5.5%	370	8.5%	3,477	9.2%
Level 6 felony	10,095	39.5%	2,023	26.2%	1,539	35.4%	13,657	36.3%
Criminal Misdemeanor (A-C)	10,986	43.0%	5,145	66.5%	2,204	50.6%	18,335	48.7%
Total	25,548	100.0%	7,734	100.0%	4,353	100.0%	37,635	100.0%

Note: The total number of cases in this table is less than in prior tables, such as Table 2, because offense level (charge) information is less consistently available and accurate than other information.

Table 5 shows the number of cases and percentages of cases by bail type and offense level for only those that were rearrested and charged with another offense (5,408). The percentages are calculated by bail type for each offense level. For example, there were 465 incidences of defendants rearrested and charged with another offense for a Level 6 felony released on O.R. compared to 1,007 total defendants rearrested and charged with another offense for all offense types released on O.R., meaning, of those released on O.R., Level 6 felony offenders were the most likely to be rearrested and charged with another offense at 46.2%. For all those rearrested and charged with another offense, Level 6 felonies were the most likely to be rearrested and charged with another offense (43.8%), followed by Criminal Misdemeanors (A – C) (38.4%).

Table 5. Bail Type and Offense Level: Rearrested and Charged with Another Offense Only

Offense Level	Bail		Own Recognizance		Unknown		Total	
	Number of Cases	Percent	Number of Cases	Percent	Number of Cases	Percent	Number of Cases	Percent
Level 1 felony	9	0.3%	0	0.0%	6	0.7%	15	0.3%
Level 2 felony	49	1.4%	5	0.5%	11	1.3%	65	1.2%
Level 3 felony	54	1.5%	11	1.1%	8	0.9%	73	1.3%
Level 4 felony	115	3.3%	32	3.2%	25	2.8%	172	3.2%
Level 5 felony	423	12.0%	132	13.1%	84	9.5%	639	11.8%
Level 6 felony	1,529	43.4%	465	46.2%	375	42.6%	2,369	43.8%
Criminal Misdemeanor (A - C)	1,342	38.1%	362	35.9%	371	42.2%	2,075	38.4%
Total	3,521	100.0%	1,007	100.0%	880	100.0%	5,408	100.0%

Note: The total number of cases in this table is less than in prior tables, such as Table 2, because offense level (charge) information is less consistently available and accurate than other information.

The rates in Table 6 were calculated for each offense level by taking the number of cases in which defendants were rearrested and charged with another offense, or not rearrested and not charged with another offense for each charge level, divided by the total number of cases in which defendants were released for each charge level. For example, there were 13,657 Level 6 felony cases, and 2,369 of those were rearrested and charged with another offense, meaning that 17.3% of Level 6 felony offenders were rearrested and charged with another offense and 82.7% were not rearrested and not charged with another offense. The offense level with the highest rate of being rearrested and charged with another offense is Level 5 felony offenses at 18.4%, followed by Level 4 felony at 18.0%.

Table 6. Rate of Rearrest and Charged with Another Offense, by Offense Level (Most Serious Charged)

Offense Level	Not Rearrested*		Rearrested*		Total	
	Number of Cases	Percent	Number of Cases	Percent	Number of Cases	Percent
Level 1 felony	165	91.7%	15	8.3%	180	100.0%
Level 2 felony	430	86.9%	65	13.1%	495	100.0%
Level 3 felony	461	86.3%	73	13.7%	534	100.0%
Level 4 felony	785	82.0%	172	18.0%	957	100.0%
Level 5 felony	2,838	81.6%	639	18.4%	3,477	100.0%
Level 6 felony	11,288	82.7%	2,369	17.3%	13,657	100.0%
Criminal Misdemeanor (A - C)	16,260	88.7%	2,075	11.3%	18,335	100.0%
Total	32,227	85.6%	5,408	14.4%	37,635	100.0%

Note: *Rearrest means rearrested and charged with another offense. 1 case was excluded for a case type outside of the scope of this report; 1 Infraction case was added to the Misdemeanor category, and 1 Felony B case was added to the Level 2 category for total and not rearrested and not charged with another offense. The number of cases in this table is less than in prior tables because offense level (charge) information is less consistently available and accurate than other information.

Conclusion

The ICJI received data from 36 counties this year, an increase from 33 in the 2023 report. The expanded dataset, among other limitations, created new challenges for this year's report. Despite the limitations, the data provides valuable insights into bail and patterns of rearrests resulting in being charged with another offense. In 2023, out of 37,939 cases where defendants were arrested and released, 5,436 were rearrested and charged with another offense, yielding a rate of 14.3%.⁶ Overall, defendants released on Bail were more common (25,759 arrests) and slightly more likely to be rearrested and charged with another offense (13.8%) than those released on O.R. (7,789 arrests, 12.9% rate of rearrested and charged with another offense). However, these vary greatly by county due to differences in bail practices and data entry methods. While Criminal Misdemeanors (A – C) and Level 6 felonies were the most common charges, Level 5 felonies (18.4%) and Level 4 (18.0%) felonies showed higher rates of being rearrested and charged with another offense among released defendants.

Recommendations

Based on our findings and data analysis process, we propose the following recommendations:

First, the standardization of data collection across counties and integration/interfaces should be improved. Cleaning and analyzing the data is time-consuming and requires some researcher discretion due to a lack of standardization across counties and missing data elements. The standardization and entry of data fields, such as cause numbers, bond information, file dates, disposition dates, and offense levels would significantly improve data accuracy and analysis efficiency, leading to more reliable insights. In the future, ICJI should work with counties to improve data collection and ensure all necessary data fields are filled out properly.

Second, ICJI has made efforts to streamline the data cleaning process to overcome time and resource constraints since last year. Due to these efforts, significantly fewer cases needed to be analyzed individually, as they had in previous years. However, there is still more work to be done to streamline the cleaning and analysis process. Notably, ICJI should explore more efficient ways to clean the data in bulk that require less work in Excel and less individual case verification. This will not only be useful, but necessary, as our data grows over time with the continued inclusion of county jail data through the jail data transformation project.

⁶ The apparent decrease in the rate of being rearrested and charged with another offense from the previous year is likely due to several factors (1) A stricter time boundary for this year's data collection. The longer the timeline away from the arrest before disposition, the more time there is for being rearrested and charged with another offense; (2) The larger dataset necessitated less individual case review, potentially missing some instances of being rearrested and charged with another offense; (3) Greater reliance on JMS entries, which may not always reflect the most current or accurate information.

THANK YOU



CONTACT US



Indiana Criminal Justice Institute
402 W. Washington Street, Rm W469 & W160
Indianapolis, IN 46204

(317) 232- 1233
<https://www.in.gov/cji/>