

Pretrial Release Committee Meeting Minutes

Date: February 6, 2026

Time: 9:30 a.m. (EDT)

Location: Zoom

1. Call to Order

Judge Spitzer called the meeting to order and welcomed attendees.

Persons in attendance were as follows:

Committee Members: Judge Mark Spitzer, Judge Julie Cantrell, Bernice Corley, Judge Jason Custer, Judge Mary Ellen Diekhoff, Hillary Hartoin, Judge David Najjar, Superintendent Anthony Scott, Ashley Stevens, Magistrate Matthew Symons and Sydney Moulton

Staff: Jamie Bergacs, Lora Moeller, Chris Biehn, Brett Jones, Shelby Bear, Nicole Wesling, Kevin Riley, Zach Johnson, Diane Mains, David Sexton, and Rose Walker

Guests: Jesstina Duncan

2. Approval of November 7, 2025, Meeting Minutes

The minutes from the November 7, 2025, meeting were unanimously approved.

3. Rule Amendments Public Comments

Diane Mains reported that five public comments were received, all focused on Section 10 (Staff Requirements). Three commenters supported changes, and two opposed them. She provided committee members with the full text of submitted comments and contact information. Judge Spitzer emphasized the rules set minimum statewide standards; counties remain free to impose higher requirements locally. Following discussion, Judge Najjar motioned to advance the proposed rule amendments as published. Judge Moore seconded. A roll-call vote was taken, and all present members voted in favor. The rules will be submitted to the Board of Directors for adoption in April, becoming effective upon passage.

4. Legislative Update

Diane Mains provided detailed updates on several legislative items. Senate Joint Resolution 1, concerning a constitutional amendment on bail, is advancing for the second General Assembly session, having passed the Senate by a vote of 43–2 and now moving to the House Judiciary Committee, with a hearing scheduled

for February 9, 2026; the resolution would expand judicial flexibility in bail determinations. Senate Bill 2, addressing bail procedures, establishes statutory guidelines aligned with the proposed amendment, including standards such as preponderance of the evidence and clear and convincing evidence of danger; it passed the Senate 39–8 and was referred to the House Courts and Criminal Code Committee. Judge Spitzer shared that the Indiana Judges Association (IJA) requested amendments, including excluding weekends and holidays from the 48-hour hearing requirement, removing impractical requirements for courts to verify defendants' understanding of bail-related financial agreements at the time of posting, placing limits on preventative detention to certain felony-level or violent offenses, and addressing confrontation clause concerns. Additional concerns were expressed by committee members regarding preventative detention, the encouragement of release without cash bail where appropriate, and the impact on court workload. Senate Bill 3, which specifies ballot language for the constitutional amendment if it proceeds, passed the Senate 36–9, with committee discussion focusing on whether the proposed language is suggestive or biased. House Bill 1258, a cleanup measure replacing the term "repeat violent arrestee" with "violent arrestee," passed unanimously in the House and now moves to the Senate Corrections and Criminal Law Committee, with minimal substantive impact on pretrial practices. Committee members discussed potential intersections among these bills, particularly in relation to limitations on preventative detention.

5. Ideas42 Update

Judge Spitzer reported ongoing collaboration with Ideas42 on improving communication materials (text messages, letters, warrants, notices) to increase clarity and improve court appearance rates. This includes collecting current communication templates from counties and developing improved, research-based alternatives. Implementation may occur via local forms and Odyssey updates, with coordination through the Pretrial Coordinators Subcommittee.

6. Data Subcommittee Report

Hillary Hartoin reported that the subcommittee is developing a standardized discretionary annual report template designed not merely as a checklist, but as a discussion guide to assist counties in interpreting metrics, assessing program performance, evaluating caseloads, and identifying policy needs; the report will incorporate data already entered into SRS and repurpose it into a cohesive format. Regarding the tracking of new offenses committed while on pretrial release, Hillary addressed a prior request to determine whether such offenses involved substance possession, noting significant concerns about data accuracy

due to the use of free-form cause number entry fields, which could lead to unreliable metrics. Following discussion, the committee agreed that pursuing this measure is not feasible at this time due to data accuracy and resource limitations. Hillary also shared statewide data on violent crime, reporting that 98.9% of individuals on pretrial release between January 1, 2025, and January 22, 2026, did not commit a violent crime, representing 11,611 individuals whose new offenses were overwhelmingly nonviolent. Additionally, she highlighted notable improvements in data quality, with SRS error rates decreasing from 9% to 4%, a significant accomplishment attributed to the efforts of pretrial coordinators.

7. Coordinators Subcommittee Update

Hillary Hartoin reported strong participation in the coordinators subcommittee meeting with a redesigned, more educational meeting format. Key topics include training needs, funding challenges, and interest in the proposed educational rule amendments regarding staff qualifications. Attendance levels have increased and engagement is improving statewide.

8. Education Subcommittee Report

Brett Jones reported that seven individuals are currently enrolled in the Spring Pretrial Orientation program. He also shared that planning is underway for the Justice Services Conference, which is scheduled for April 29–30 and will be condensed to a two-day format this year instead of the traditional three days.

9. Certification Update

David Sexton reported that since the last committee meeting IOCS recertified Adams, Allen, and Tipton counties. Currently there are a total of 32 certified programs, and 11 programs are in the planning.

10. Other Business

There was no additional business raised.

11. Adjournment

Meeting adjourned at 10:23AM

2026 Meeting Dates:

May 15, 2026 (in-person)

August 21, 2026 (zoom)

November 13, 2026 (zoom)