

Allen

2012

STATE OF INDIANA	)	IN THE ALLEN SUPERIOR COURT
	) SS:	
COUNTY OF ALLEN	)	CRIMINAL DIVISION

ORDER OF THE ALLEN SUPERIOR COURT ESTABLISHING SCHEDULE, TERMS, AND  
CONDITIONS OF BAIL

Pursuant to the authority of the Allen Superior Court to establish reasonable bail in criminal cases, the following schedules, terms and conditions concerning bail are approved this date:

1. Unless otherwise ordered by the Court, there shall be NO BOND for the charge of Murder.
2. There shall be no bond for the charge of Attempted Murder until the Probable Cause hearing. The bond for Attempted Murder is hereby established in the amount of fifty thousand dollars (\$50,000.00), which shall be established at the Probable Cause Hearing unless sufficient evidence is admitted which satisfies the Court that other bond amounts or conditions should be ordered. The bond for Attempted Murder shall be subject to Pre-Trial Services conditions.
3. The bond for a Class A felony (except Attempted Murder) shall be twenty-five thousand dollars (\$25,000.00) subject to Pre-Trial Services conditions.
4. The bond for a Class B or Class C felony (except Dealing in a Controlled Substance) involving the use of a deadly weapon, or which results in bodily injury, or is otherwise a violent offense (defined below) shall be ten thousand dollars (\$10,000.00) subject to Pre-Trial Services conditions.

A violent offense is defined as one in which:

- a. the person carried, possessed or used a firearm or a deadly weapon; or
- b. there occurred the death of, or bodily injury to, any person; or
- c. there occurred the use of force, or the threat of use of force, against a person;

- d.       or  
the offense is Rape, Criminal Deviate Conduct, Child Molesting, or Burglary.
5.       The bond for a Class D Felony involving the use of force against a person shall be two thousand five hundred dollars (\$2,500.00) subject to Pre-Trial Services conditions.
6.       The bond for Escape shall be fifteen thousand dollars (\$15,000.00).
7.       The bond for Residential Entry shall be two thousand-five hundred dollars (\$2,500.00).
8.       The bond for Dealing in a Controlled Substance shall be fifty thousand dollars (\$50,000.00).
9.       The bond for a non-violent (defined below) Class B, Class C or Class D felony shall be Release on Own Recognizance (OR) subject to Pre-Trial Services conditions.

A non-violent offense is defined as one in which:

- a.       no firearm or deadly weapon was used or involved in any way; or
- b.       no bodily injury occurred to any person; or
- c.       no force was used or threatened against any person; or
- d.       no motor vehicle was involved.
10.      If defendant has a prior felony conviction, bond for a non-violent Class B, Class C, or Class D felony shall be:
- a.       Class B and C: ten thousand dollars (\$10,000.00)
- b.       Class D:       two thousand five hundred dollars (\$2,500.00)
11.      Persons arrested and in which:
- a.       the true identity of a defendant is unknown; or
- b.       there is good cause to believe the defendant is on probation, home detention/house arrest, parole; or
- c.       there is good cause to believe the defendant is on pretrial release or bond for a pending criminal offense; or
- d.       the person is charged with an offense related to Domestic Violence or Stalking pursuant to a warrantless arrest; or
- e.       the person is charged with Possession of Device or Substance used to

Interfere with Drug Screening Test; or

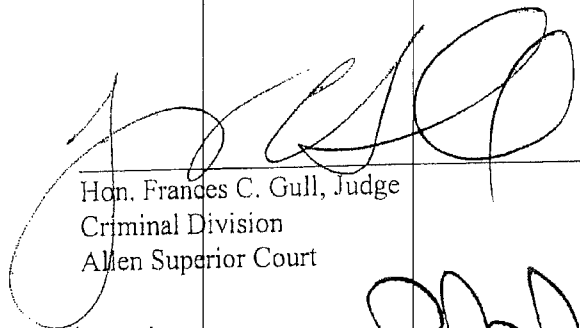
f. the person is charged with Interfering with Drug Screening Test

**shall be held without bond until the Probable Cause Hearing.**

12. The bond for all non-violent (as defined above) misdemeanors shall be Release on Own Recognizance (OR), except as stated in this Bond Schedule.
13. The bond for Possession of Device or Substance Used to Interfere with Drug Screening Test, a misdemeanor, or Interfering with Drug Screening Test, a misdemeanor, shall be two thousand five hundred dollars (\$2,500.00).
14. The bond for all other misdemeanors shall be seven hundred fifty dollars (\$750.00) subject to Pre-Trial Services conditions.
15. In regard to a single instance of Operating While Intoxicated as a misdemeanor, with multiple counts filed, bond on the first count of Operating While Intoxicated shall be seven hundred fifty dollars (\$750.00). On remaining counts related to the Operating While Intoxicated, the bond shall be Release on Own Recognizance (OR). All other misdemeanor counts filed in the same cause will follow the standard bond established in this schedule.
16. All bonds shall be posted by cash or surety. The Court shall not accept 10% deposit bonds. All bonds may be subject to Pre-Trial Services Conditions of Release.
17. This order shall not be interpreted to limit judicial discretion.
18. If the Prosecuting Attorney of Allen County, after a review of all the circumstances of a case, believes a higher bond is necessary for the safety of witnesses and/or protection of the community, the Prosecutor may request a deviation from the scheduled bond amount.
19. Pre-Trial Services **Conditions of release** may include any or all of the following ;
  - a. Report to Pre-Trial Services periodically;
  - b. Remain in the supervisory custody of a named responsible person;
  - c. Live and stay at a specified address;
  - d. Remain in the State of Indiana;
  - e. Have no contact with the victim/complaining witness;
  - f. Not use or possess alcohol;
  - g. Not use or possess any controlled substances unless on order of a physician;
  - h. Submit to drug/alcohol testing at your expense;
  - i. Remain at residence other than at specified hours for specified purposes;
  - j. Not possess a firearm or other dangerous weapon;

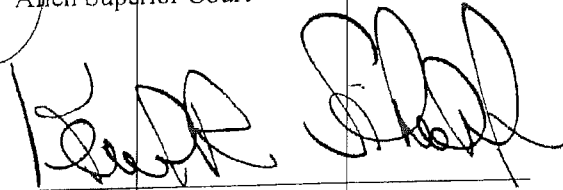
- k. Seek and maintain full time employment/student status;
- l. Undergo necessary medical or psychiatric treatment, including drug or alcohol abuse treatment;
- m. Commit no criminal offense.
- n. Comply with any other condition reasonably calculated to assure appearance in court as required or to assure the safety of any other person and the community.
- o. Defendant specifically agrees to waive extradition from any jurisdiction inside or outside the United States, wherever he/she may be found, and also agrees not to contest any effort to return him/her to the State of Indiana.

ORDERED this 30TH day of MARCH, 2010.



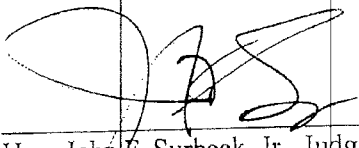
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Hon. Frances C. Gull, Judge  
Criminal Division  
Allen Superior Court



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Hon. Kenneth R. Scheibenberger, Judge  
Criminal Division  
Allen Superior Court



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Hon. John F. Surbeck, Jr., Judge  
Criminal Division  
Allen Superior Court