



BAIL REPORT



2021 DATA
SECOND EDITION

Indiana Criminal Justice Institute
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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.

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TABLE OF CONTENTS

	INTRODUCTION
4	Overview
4	Data/Methodology
5	Limitations
	ANALYSIS
6	Statewide Dispositions
	BAIL CASE STUDIES
8	Allen County
9	Boone County
10	LaPorte County
	CONCLUSION
11	Findings
12	Appendix A: 2021 Statewide Dispositions by County

INTRODUCTION

OVERVIEW

In 2020, the Indiana General Assembly enacted legislation, codified at IC 35-33-8-12, requiring the Indiana Criminal Justice Institute to collect and publish data on the rearrest rates in Indiana based on the number of individuals released on own recognizance and bail (less than \$1,000). Specifically, this includes the number of defendants released on personal recognizance who were rearrested before the disposition of the defendant's charges and the number of defendants released pursuant to the payment of money bail of \$1,000 or less who were rearrested before the disposition of the defendant's charges.

Under the law, the data shall be compiled in such a manner to present the rearrest rate for the state, each county, and each circuit, superior, city, and town court, including each separate division of each court, if applicable. This is the second report and will include data from January 1, 2021, through December 31, 2021.

DATA/ METHODOLOGY

Currently, Indiana does not have a system or network of systems to track individuals released on own recognizance, the amount of bail, or if individuals are rearrested before the disposition¹ of the prior offense. Without jail booking data, ICJI is unable to properly analyze and determine arrest rates, so for the purposes of this report, ICJI used criminal case dispositions obtained from the Indiana Office of Court Technology. From case dispositions, limited inferences can be made based on the number of individuals that have multiple cases disposed of throughout 2021.

Using the data, ICJI was able to obtain bail information, but it required manually searching the case summary notes in INcite². Considering the time it takes to extract the information, coupled with limited resources, ICJI was only able to conduct an analysis of three counties: Allen, Boone and LaPorte.

¹ Disposition occurs when the indictment or information is dismissed, or the defendant is acquitted or convicted of the charges.

² Indiana Court Information Technology Extranet – INcite serves as a single environment for hosting all of the web-based applications that the Indiana Supreme Court currently provides

For analysis purposes, offenses charged were grouped into 14 categories; drug & alcohol offenses, property offenses, violent offense (offenses against a person), motor vehicle offenses, offenses against general public administration (resisting law enforcement, failure to appear, assisting a criminal, etc.), offenses against the family (neglect of a dependent, invasion of privacy, etc.), offenses against public order (disorderly conduct, intimidation, harassment, etc.), operating a vehicle while intoxicated, weapon offenses, public intoxication, sex offender registration violations, sex crimes, offenses against animals and other.

LIMITATIONS

When reporting on the amount of bail for release, the earliest entry listed on the case summary page was recorded. It was common for individuals to be released either on own recognizance or with money bail to later receive a higher amount due to failure to appear or new charges filed. Another limitation is that it is not always clear what amount bail was set at or if the payment was received. It was not possible to accurately determine if individuals released on own recognizance or money bail committed a new offense prior to charges being disposed. Therefore, the data presented is only an analysis of the type of bail and bail amount. The analysis includes bail release type (own recognizance or money bail) by type of offenses and offense levels.

In addition, dispositions include findings of all possible outcomes, including charges that are dismissed, found guilty or individuals found not guilty. It is possible for individuals to be arrested while on release from bail, but not have new charges filed for a variety of reasons. These data should be regarded as showing only the number of individuals with more than one case filed within 2021.

Moreover, the cases included are only for those that have been disposed, pending filed cases are not included. This means any individual out on bail or own recognizance with a new criminal filing that is still pending, is not included in this report. The data in this report should not be interpreted to suggest the number of cases disposed is equivalent to the number of individuals rearrested while out on bail. It is conceivable that several individuals included in the data analysis had a previous case dismissed, have a pending case, or have already served their sentence before an additional case being brought forth to court.



STATEWIDE DISPOSITIONS

In 2021, there were 154,717 criminal cases disposed, statewide. Of the cases disposed, just over 40% were Class A Misdemeanors. Felony Level 6 made up 26.8% of disposed cases and Class B Misdemeanors totaled almost 12% of dispositions. The remaining offense levels each made up less than 10% of total cases disposed. See Table 1 below for more information. For a list of criminal cases disposed broken down by county, see Appendix A.

TABLE 1: NUMBER OF DISPOSITIONS BY OFFENSE LEVEL, ALL CASES

Offense Level	Number of Dispositions	Percent
Felony 1	364	0.24%
Felony 2	1,382	0.89%
Felony 3	1,813	1.17%
Felony 4	2,537	1.64%
Felony 5	8,261	5.34%
Felony 6	41,469	26.80%
Felony A	9	0.01%
Felony B	3	0.00%
Felony C	7	0.00%
Felony D	21	0.01%
Misdemeanor Class A	62,205	40.21%
Misdemeanor Class B	18,149	11.73%
Misdemeanor Class C	14,868	9.61%
Misdemeanor Class D	2	0.00%
Murder	2	0.00%
No State Code or Degree Code	3,625	2.34%
Grand Total	154,717	100%

Of those 154,717 criminal cases, a total of 25,181 (16%) individuals had two or more cases disposed during the year. Those 25,181 individuals accounted for 64,587 cases. The number of cases per individuals ranged from 2 to 20. Most of the cases were Class A Misdemeanors at nearly 41%, followed by Felony 6 at 33% and Class B Misdemeanors at 9.4%.

TABLE 2: NUMBER OF DISPOSITIONS BY OFFENSE LEVEL, INDIVIDUALS WITH 2 OR MORE CASES

Offense Level	Number of Dispositions	Percent
Felony 1	90	0.14%
Felony 2	601	0.93%
Felony 3	746	1.16%
Felony 4	1,122	1.74%
Felony 5	3,756	5.81%
Felony 6	21,389	33.11%
Felony A	1	0.00%
Felony B	1	0.00%
Felony C	1	0.00%
Felony D	7	0.01%
Misdemeanor Class A	26,295	40.71%
Misdemeanor Class B	6,078	9.41%
Misdemeanor Class C	3,507	5.43%
Misdemeanor Class D	1	0.00%
Murder	1	0.00%
No State Code or Degree Code	991	1.53%
Grand Total	64,587	100%

Drug & alcohol offenses accounted for the most cases at 24.6% of total cases for individuals with multiple case dispositions. Property offenses was the second highest category at 19.5%, followed by motor vehicles offenses at 16.7% and violent offenses at 11.6%.

TABLE 3: NUMBER OF CASES BY OFFENSES CATEGORY

Offense Category	Number of Dispositions	Percent
Drug & Alcohol	15,870	24.6%
Property	12,571	19.5%
Motor Vehicles	10,801	16.7%
Violent	7,479	11.6%
Offenses Against General Public Administration	4,391	6.8%
OWI	4,282	6.6%
Offenses Against the Family	3,194	4.9%
Offenses Against Public Order	2,383	3.7%
Weapon	1,250	1.9%
Public Intoxication	1,046	1.6%
Other	687	1.1%
Sex Offender Registration Violation	309	0.5%
Sex Crimes	277	0.4%
Offenses Relating to Animals	47	0.1%
Grand Total	64,587	100.0%



BAIL DATA CASE STUDIES

Extracting data from INCite, the following section in this report is an analysis of bail data for Allen, Boone and LaPorte counties based on the number of cases disposed.

CASE STUDY – ALLEN COUNTY

In Allen County in 2021, there were a total of 5,831 cases disposed³. A total of 2,265 individuals, or 39%, had multiple cases disposed during the year. Of those with multiple cases, a total of 1,857 (82%) were either released on their own recognizance (1,071) or released on a bond of \$1,000 or less, including surety bonds of \$10,000 or less⁴ (786). Table 4 shows the distribution of these cases by Offense Category. Property offenses were the highest number of cases with individuals released on their own recognizance at 29.5%, with Drug & Alcohol offenses second at 18.7%. For cases with individuals released on bonds less than \$1,000, the three most common offense categories were Drug and Alcohol (18.8%), Offenses Against the Family (17.4%), and Sex Offender Registration Violations (17.4%).

TABLE 4: NUMBER OF CASES RELEASED ON OWN RECOGNIZANCE OR BOND LESS THAN \$1,000 BY OFFENSE CATEGORY

Offense Category	Released on Own Recognizance		Bond less than \$1,000	
	Number of Cases	Percent	Number of Cases	Percent
Drug & Alcohol	200	18.67%	148	18.83%
Motor Vehicles	166	15.50%	53	6.74%
Offenses Against General Public Administration	97	9.06%	85	10.81%
Offenses Against Public Order	19	1.77%	23	2.93%
Offenses Against the Family	26	2.43%	137	17.43%
Offenses Relating to Animals	1	0.09%	0	0.00%
Other	3	0.28%	0	0.00%
OWI	80	7.47%	42	5.34%
Property	316	29.51%	112	14.25%
Public Intoxication	64	5.98%	3	0.38%
Sex Crimes	0	0.00%	2	0.25%
Sex Offender Registration Violation	0	0.00%	6	0.76%
Violent	91	8.50%	137	17.43%
Weapon	8	0.75%	38	4.83%
Grand Total	1,071	100%	786	100%

Most cases in this county where an individual was released on their own recognizance or on bond less than \$1,000 were a Felony 6 or Misdemeanor Class A offense level. For those released on their own recognizance, 13.8% were a Felony 6 offense level and over 60% were a Misdemeanor Class A offense level. For those released on a bond of \$1,000 or less, almost 58% were a Felony 6 offense level and 31.4% were a Misdemeanor Class A offense level.

TABLE 5: NUMBER OF DISPOSITIONS RELEASED ON OWN RECOGNIZANCE OR BOND LESS THAN \$1,000 BY OFFENSE LEVEL

Offense Level	Released on Own Recognizance		Bond less than \$1,000	
	Number of Dispositions	Percent	Number of Dispositions	Percent
Felony 4	4	0.37%	8	1.02%
Felony 5	13	1.21%	51	6.49%
Felony 6	148	13.82%	455	57.89%
Misdemeanor Class A	643	60.04%	247	31.42%
Misdemeanor Class B	188	17.55%	16	2.04%
Misdemeanor Class C	75	7.00%	9	1.15%
Grand Total	1071	100%	786	100%

Note. (n=1,857) Total released on own recognizance or bond less than \$1,000 in Allen County in 2021.

³ Criminal cases were counted based on unique Cause Number. An individual may have multiple cases.

⁴ Surety bonds are 10% of the total bond ordered in a case; therefore, if bond is set at \$10,000 a person could pay 10% or \$1,000 to a licensed bondsman to post bail

CASE STUDY – BOONE COUNTY

In 2021, Boone County had a total of 1,399 cases disposed. A total of 523 individuals, or 37%, had multiple cases disposed during the year. Of those with multiple cases, a total of 434 (83%) were either released on their own recognizance (160) or released on a bond of \$1,000 or less, including surety bonds of \$10,000 or less (274). Table 6 shows that Drug and Alcohol offenses were the most common cases with individuals released on their own recognizance (35%) and released on bond less than \$1,000 (26.3%).

TABLE 6: NUMBER OF CASES RELEASED ON OWN RECOGNIZANCE OR BOND LESS THAN \$1,000 BY OFFENSE CATEGORY

Offense Category	Released on Own Recognizance		Bond less than \$1,000	
	Number of Cases	Percent	Number of Cases	Percent
Drug & Alcohol	56	35.00%	72	26.28%
Motor Vehicles	49	30.63%	24	8.76%
Offenses Against General Public Administration	6	3.75%	13	4.74%
Offenses Against Public Order	3	1.88%	16	5.84%
Offenses Against the Family	3	1.88%	5	1.82%
Offenses Relating to Animals	1	0.63%	0	0.00%
Other	0	0.00%	1	0.36%
OWI	5	3.13%	43	15.69%
Property	24	15.00%	46	16.79%
Public Intoxication	1	0.63%	1	0.36%
Sex Crimes	0	0.00%	0	0.00%
Sex Offender Registration Violation	0	0.00%	3	1.09%
Violent	11	6.88%	42	15.33%
Weapon	1	0.63%	8	2.92%
Grand Total	160	100%	274	100%

Like Allen County, most cases were a Felony 6 or Misdemeanor Class A offense level. For those released on their own recognizance, almost 26% were a Felony 6 offense level and just over 54% were a Misdemeanor Class A offense level. For those released on a bond of \$1,000 or less, almost 48% were a Felony 6 offense level and 36.5% were a Misdemeanor Class A offense level.

TABLE 7: NUMBER OF DISPOSITIONS RELEASED ON OWN RECOGNIZANCE OR BOND LESS THAN \$1,000 BY OFFENSE LEVEL

Offense Level	Released on Own Recognizance		Bond less than \$1,000	
	Number of Dispositions	Percent	Number of Dispositions	Percent
Felony 4	0	0.00%	4	1.46%
Felony 5	4	2.50%	18	6.57%
Felony 6	41	25.63%	131	47.81%
Misdemeanor Class A	87	54.38%	100	36.50%
Misdemeanor Class B	16	10.00%	17	6.20%
Misdemeanor Class C	12	7.50%	4	1.46%
Grand Total	160	100.00%	274	100.00%

Note. (n=434) Total released on own recognizance or bond less than \$1,000 in Boone County in 2021.

CASE STUDY – LAPORTE COUNTY

LaPorte County had a total of 1,967 cases in 2021. A total of 685 individuals, or 35%, had multiple cases disposed during the year. Of those with multiple cases, a total of 487 (71%) were either released on their own recognizance (157) or released on a bond of \$1,000 or less, including surety bonds of \$10,000 or less (330). Table 8 shows that property offenses comprised about 30% of cases for both those released on their own recognizance and those released on bonds of less than \$1,000.

TABLE 8: NUMBER OF CASES RELEASED ON OWN RECOGNIZANCE OR BOND LESS THAN \$1,000 BY OFFENSE CATEGORY

Offense Category	Released on Own Recognizance		Bond less than \$1,000	
	Number of Cases	Percent	Number of Cases	Percent
Drug & Alcohol	33	21.02%	51	15.45%
Motor Vehicles	12	7.64%	19	5.76%
Offenses Against General Public Administration	12	7.64%	14	4.24%
Offenses Against Public Order	10	6.37%	27	8.18%
Offenses Against the Family	8	5.10%	12	3.64%
Offenses Relating to Animals	0	0.00%	0	0.00%
Other	1	0.64%	2	0.61%
OWI	9	5.73%	31	9.39%
Property	48	30.57%	102	30.91%
Public Intoxication	2	1.27%	4	1.21%
Sex Crimes	1	0.64%	2	0.61%
Sex Offender Registration Violation	0	0.00%	1	0.30%
Violent	18	11.46%	61	18.48%
Weapon	3	1.91%	4	1.21%
Grand Total	157	100.00%	330	100.00%

As in the other two counties, most cases in LaPorte County were a Felony 6 or Misdemeanor Class A offense level. For those released on their own recognizance, 42% were a Felony 6 offense level and over 44% were a Misdemeanor Class A Offense level. For those released on a bond of \$1,000 or less, 42.4% were a Felony 6 offense level and 41.2% were a Misdemeanor Class A offense level.

TABLE 9: NUMBER OF DISPOSITIONS RELEASED ON OWN RECOGNIZANCE OR BOND LESS THAN \$1,000 BY OFFENSE LEVEL

Offense Level	Released on Own Recognizance		Bond less than \$1,000	
	Number of Dispositions	Percent	Number of Dispositions	Percent
Felony 4	6	3.82%	0	0.00%
Felony 5	6	3.82%	1	0.30%
Felony 6	66	42.04%	140	42.42%
Misdemeanor Class A	70	44.59%	136	41.21%
Misdemeanor Class B	7	4.46%	44	13.33%
Misdemeanor Class C	2	1.27%	9	2.73%
Grand Total	157	100.00%	330	100.00%

Note. (n=487) Total released on own recognizance or bond less than \$1,000 in LaPorte County in 2021.



CONCLUSION

At this time, ICJI does not have access to an adequate amount of data to perform a full analysis per the requirements laid out in IC 35-33-8-12. The data presented in this report from Allen, Boone, and LaPorte counties serves to provide some insight on bail in Indiana for 2021. Allen and Boone had similar rates of releases (82% and 83%, respectively) on own recognizance or a bond of \$1,000 or less, while LaPorte County had 71%. For all counties Felony 6 and Misdemeanor Class A were the most likely offenses to be released on the criteria laid out in the statute; however, those offense levels also had the most cases disposed. Property offenses and offenses involving drugs and/or alcohol were the most common to receive release on own recognizance or bond of \$1,000 or less. The statewide analysis showed that approximately 16% of individuals had multiple cases disposed in 2021. The majority of cases disposed were Misdemeanor Class A and Felony 6. The most common offenses were drug and alcohol related and property offenses. The statewide data is in line with what the county data shows.

Moving forward, a statewide jail data project is currently in development that will help fill in the gaps of this report. In spring of 2020, the Indiana Department of Correction (IDOC) released a Request for Project Services to develop a new statewide Victim Notification System (VNS). The VNS notifies victims of the offender's movements and releases from jail or prison. Currently, there are two victim notification systems available⁵ and a few counties are not using either system. Even with so few notification systems, each Jail Management System (JMS) is installed as a unique interface at the jails and interacts with the VNSs differently. IDOC is working to procure a unified statewide VNS that would house offender data from all jail management systems used across the State, as well as information from correctional facilities, courts, prosecutors' offices and other sources. The unique sources of data collected from the approximately 20 different JMSs in 91⁶ counties will need to be transformed into standardized data fields for intake by the VNS. Upon completion of this project, offender data from all 91 county jails will be housed in one location, with uniform data fields. Preliminary data includes fields that will allow ICJI to conduct further analysis on the rearrest of individuals released on own recognizance or a \$1,000 or less cash bond. Data fields include Arrest Date, Bond Amount, Bond Type, Offense Level, Disposition Date, Disposition Type, Sentence, and other fields. Once the jail data transformation project is complete, ICJI should be able to provide a more in-depth review of bail and rearrest rates across the state.

⁵ *Statewide Automated Victim Information and Notification (SAVIN) and Victim Information and Notification Everyday (VINELink)*

⁶ *Ohio County does not have a jail.*

APPENDIX A: 2021 CASES BY COUNTY, HIGHEST TO LOWEST PERCENT

County	Total Cases	Cases > 1	Percent
Jefferson	1,311	296	22.58%
Scott	1,093	244	22.32%
Vanderburgh	6,687	1,458	21.80%
Fayette	487	104	21.36%
Ohio	164	35	21.34%
Wabash	921	189	20.52%
Wells	469	95	20.26%
Ripley	469	94	20.04%
Noble	1,161	230	19.81%
Madison	2,811	555	19.74%
Howard	2,480	487	19.64%
Montgomery	1,216	236	19.41%
Tipton	459	88	19.17%
Shelby	1,620	310	19.14%
Owen	419	80	19.09%
Starke	519	98	18.88%
Delaware	2,680	504	18.81%
Pulaski	369	69	18.70%
Orange	629	116	18.44%
Knox	1,175	214	18.21%
Vigo	2,906	527	18.13%
Monroe	3,008	544	18.09%
Jay	473	85	17.97%
Morgan	1,130	203	17.96%
Jennings	937	168	17.93%
Steuben	938	168	17.91%
Rush	592	106	17.91%
Putnam	526	93	17.68%
Martin	283	50	17.67%
Marion	21,474	3,784	17.62%
Wayne	1,711	296	17.30%
Greene	946	163	17.23%
St. Joseph	4,838	831	17.18%
Crawford	158	27	17.09%
Perry	569	97	17.05%
Sullivan	600	100	16.67%
Jackson	1,906	316	16.58%
Washington	719	118	16.41%
Tippecanoe	3,291	540	16.41%
Grant	2,236	366	16.37%
Bartholomew	2,238	366	16.35%
Daviess	828	135	16.30%
Kosciusko	2,435	397	16.30%
Whitley	1,068	173	16.20%
Decatur	1,378	222	16.11%
Spencer	479	77	16.08%

Henry	1,315	210	15.97%
Union	94	15	15.96%
DeKalb	1,030	164	15.92%
Huntington	1,052	167	15.87%
Lawrence	1,176	186	15.82%
Gibson	1,115	176	15.78%
Miami	1,152	181	15.71%
Parke	505	79	15.64%
Cass	991	155	15.64%
Porter	3,805	594	15.61%
Harrison	735	114	15.51%
Pike	448	69	15.40%
Elkhart	5,317	817	15.37%
Clay	499	76	15.23%
Allen	5,831	886	15.19%
Marshall	1,547	234	15.13%
Hendricks	3,035	458	15.09%
Warren	254	38	14.96%
Warrick	1,261	187	14.83%
Randolph	828	122	14.73%
LaGrange	682	100	14.66%
Blackford	287	42	14.63%
Vermillion	392	57	14.54%
Clinton	1,109	159	14.34%
Johnson	3,294	470	14.27%
Clark	2,943	416	14.14%
Floyd	1,790	253	14.13%
Dubois	924	128	13.85%
Switzerland	325	45	13.85%
LaPorte	1,967	271	13.78%
Jasper	643	88	13.69%
White	665	91	13.68%
Lake	10,743	1,421	13.23%
Fountain	325	39	12.00%
Adams	562	64	11.39%
Brown	309	35	11.33%
Fulton	517	58	11.22%
Hamilton	4,112	448	10.89%
Boone	1,399	152	10.86%
Dearborn	1,537	165	10.74%
Newton	347	36	10.37%
Posey	531	52	9.79%
Franklin	554	54	9.75%
Hancock	1,039	99	9.53%
Carroll	666	44	6.61%
Benton	259	12	4.63%
Grand Total	154,717	25,181	16.28%



THANK YOU

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