

PORTAGE COUNTY MUNICIPAL COURT
KENT AND RAVENNA

STATE OF OHIO)
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PORTAGE COUNTY)

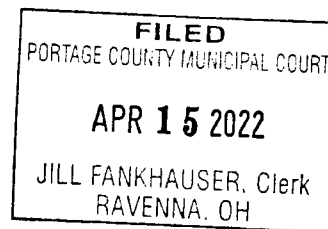
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IN THE MATTER OF
BOND SCHEDULE

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JOURNAL ENTRY

Effective: May 1, 2022

BOND SCHEDULE



The intent of this Journal Entry is to ensure that persons charged with criminal offenses not be incarcerated pre-conviction without just cause. Criminal 46(G) and Superintendence Rule 5.02 mandates the Portage County Municipal Court set a reasonable bond.

This Journal Entry applies to persons accused of Felony or Misdemeanor crimes prior to conviction and prior to the person's initial appearance in Court.

MISDEMEANOR CHARGES

There shall be a presumption of release for persons charged with non-violent Misdemeanor crimes. There is no presumption of release for a person charged with offenses of violence as defined in Section 2901.01(A)(9) of the Ohio Revised Code and listed in Exhibit A attached hereto*. The person charged with an offense of violence Misdemeanor shall be held without bond and shall be brought before the Court at the next business/ regular Court session. The person charged with a non-violent offense shall be released upon arrest after booking and fingerprints (as may be required) on a \$500.00 personal bond. The arresting/booking agency shall issue a Summons to the person with a specific Court date for the person's appearance UNLESS one of the following exceptions apply:

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- (1)The person charged is unable to provide for his/her own safety or requires medical care.
- (2)The person cannot or refuses to offer satisfactory proof of his/her identity.
- (3)The person refuses to sign for a personal bond acknowledging their upcoming Court date.
- (4)The person refuses to be booked and processed as required by law.
- (5)The person has an outstanding warrant or warrants for failure to appear for Court appearances.
- (6)The person has a history of warrants being issued for not appearing in Court.
- (7)The person resisted, fled, or placed or attempted to place a person or officer at risk of harm.
- (8)The Arresting Officer or the booking agency has reason to believe that the Defendant should not be immediately released in the interest of the safety for the community. The Officer/Agency shall provide written reasons for not setting a bond prior to Defendant's first Court appearance.

If any of the above-described exceptions apply, bond shall be set from the following schedule:

1st Degree Misdemeanor	\$5,000.00	10% cash/surety
2nd Degree Misdemeanor	\$4,500.00	10% cash/surety
3rd Degree Misdemeanor	\$4,000.00	10% cash/surety
4th Degree Misdemeanor	\$3,500.00	10% cash/surety

If the person is **not a resident of Portage County, Ohio**, and the arresting law enforcement officer believes the person will not or may not voluntarily appear in Court to answer the charge, the following bond schedule shall apply:

1st Degree Misdemeanor	\$5,000.00	10%cash/surety
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2nd Degree Misdemeanor	\$4,500.00	10%cash/surety
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3rd Degree Misdemeanor	\$4,000.00	10%cash/surety
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4th Degree Misdemeanor	\$3,500.00	10%cash/surety
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All minor misdemeanors and unclassified misdemeanors that do not have a potential Jail penalty should be citations unless one of the exceptions listed above apply.

PERSONS CHARGED WITH FELONIES

FELONY ARRESTS

Pursuant to Criminal Rule 46(H), a person who has been arrested, either pursuant to a warrant or without a warrant, shall be brought before a judicial officer for an initial bail hearing no later than the next business/ regular Court session. The bail hearing may be combined with the initial appearance provided for in Criminal Rule 5(A).

FELONIES

Aggravated Murder or Murder	No Bond/Hold until brought before Judge
1st Degree Felony	No Bond/Hold until brought before Judge
2nd Degree Felony	No Bond/Hold until brought before Judge
3rd Degree Felony	No Bond/Hold until brought before Judge
4th Degree Felony	No Bond/Hold until brought before Judge
5th Degree Felony	No Bond/Hold until brought before Judge

DEVIATION FROM THE BOND SCHEDULE

The Arresting Agency may provide in writing any reason a Bond different from the Bond Schedule or No Bond was offered to the Defendant. Reasons would include, but not limited to:

- (1)The person charged is unable to provide for his/her own safety, requires medical care, or is a threat to him/herself.
- (2)The person cannot or refuses to offer satisfactory proof of his/her identity.
- (3)The person refuses to be booked and processed as required by law.
- (4)The person has an outstanding warrant or warrants for failure to appear for Court appearances.
- (5)The person has a history of warrants being issued for not appearing in Court.
- (6)The Arresting Officer or the booking agency has reason to believe that the Defendant should not be immediately released in the interest of the safety for the community. The Officer/Agency shall provide written reasons for not setting a bond prior to Defendant's first Court appearance.

DNA SAMPLE CONDITION OF ALL BONDS IN FELONY ARRESTS

Pursuant to Section 2901.07(8)(1) of the Ohio Revised Code, the Accused shall submit to a collection of a DNA sample by the arresting agency as a condition of all bonds set in Felony cases.

OVI CHARGES- IN STATE RESIDENTS

First Offense: There shall be a presumption of release on Personal Bond.

Second Offense: There shall be a presumption of release on Personal Bond.

Third Offense IN 10 YEARS:

Bond shall be \$10,000.00/10% cash or surety.

Felony OVI: No Bond/hold until brought before a Judge. Would include a 4th offense in 10 years and 6th offense in 20 years or a prior Felony OVI conviction.

OVI CHARGES- OUT OF STATE RESIDENTS

If the Defendant is from out of State or produces an out-of-state driver's license, Bonds shall be set on the following schedule:

First Offense: Bond shall be set at \$2,000.00 cash/surety/10%

Second Offense: Bond shall be set at \$3,250.00 cash/surety/10%

Third Offense IN 10 YEARS:

Bond shall be set at \$20,000.00 cash/surety/10%

Felony OVI: This would include a 4th offense in 10 years, a 6th offense in 20 years, or a prior Felony OVI conviction. Defendant shall be held without Bond until brought before a Judge at the earliest time available.

DOMESTIC VIOLENCE

Pursuant to Criminal Rule 46(H), a person who has been arrested shall be brought before a judicial officer for an initial bail hearing no later than the next business/ regular Court following the arrest. The bail hearing may be combined with the initial appearance provided for in Criminal Rule 5(A)

Domestic Violence	No Bond/Hold until brought before Judge
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Menacing By Stalking	No Bond/Hold until brought before Judge
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Violating a TPO	No Bond/Hold until brought before Judge
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Defendants will be brought before the Court at the next business/ regular Court session at which time bond shall be considered pursuant to Section 2919.251 of the Ohio Revised Code.

CHARGES INVOLVING FIREARMS

Any charge involving the use of a firearm No Bond
Hold until brought before a Judge

Does not include CCW - Bond shall be set according to the regular Misdemeanor Bond Schedule.

EXTRAORDINARY CIRCUMSTANCES

Any time the County Jail or arresting agency has a question about bond due to the extraordinary circumstance of the case, the Officer may call a Judge from the Court with jurisdiction of the case.

There is a 4% service fee when using a credit or debit card.

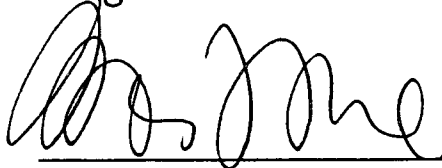
IT IS SO ORDERED.



Judge Melissa R. Roubic
Administrative and Presiding

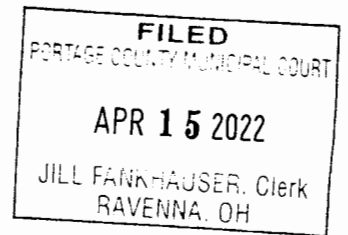


Judge Mark K. Fankhauser



Judge Kevin T. Poland

Offenses of Violence 2901.01 (A)(9)



2903.01 Aggravated Murder

2903.02 Murder

2903.03 Voluntary Manslaughter

2904.04 Involuntary Manslaughter

2903.11 Felonious Assault

2903.12 Aggravated Assault

2903.13 Assault

2903.15 Permitting Child Abuse

2903.21 Aggravated Menacing

2903.22 Menacing

2903.211 Menacing by Stalking

2905.01 Kidnapping

2905.02 Abduction

2905.11 Extortion

2905.32 Trafficking in Persons

2907.02 Rape

2907.03 Sexual Battery

2909.02 Aggravated Arson

2909.03 Arson

2909.24 Terrorism

2911.01 Aggravated Robbery

2911.02 Robbery

2911.11 Aggravated Burglary

2917.01 Inciting to Violence

2917.02 Aggravated Riot

2917.03 Riot

2917.31 Inducing Panic

2919.25 Domestic Violence

2921.03 Intimidation

2921.04 Intimidation of attorney, victim or witness in criminal case or delinquent child action proceeding

2921.34 Escape

2923.161 Improperly discharging a firearm at or into a habitation, in a school safety zone or with intent to cause harm or panic to persons in a school building or at a school function

2903.34 Patient Abuse or Neglect

2919.22 Endangering Children

2907.12 Felonious Sexual Penetration

Please include: some codes listed above also include Misdemeanor offenses and would be subject to the Misdemeanor Bond Schedule and any exceptions contained herein.