



Criminal Case Bonds

How is a criminal case bond determined?

A bond is a financial condition set by the court to help ensure public safety and the defendant's appearance in court in consideration of the circumstances of the case.

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TOPICS OF INTEREST

Who Determines Bond?

A judge determines bond during a defendant's initial court appearance. In making that decision, the court must consider public safety and may consider other factors including the seriousness of the offense, a person's criminal record, the likelihood a person will return to court, and any other factor the general assembly may prescribe.

WHAT FACTORS MAY BE CONSIDERED?

The nature and severity of the alleged offense - more serious offenses may result in stricter bond conditions.

Criminal history - prior convictions may be reviewed by the court.

Prior failures to appear and history related to interference with the legal process - the court may consider whether a person previously missed court dates.

Involvement in ongoing criminal activity - courts may consider whether there are concerns regarding organized criminal activity or continued criminal conduct.

MYTHS VS. FACTS

Bond is Punishment.



Bond is intended to help ensure court appearance & address safety concerns.

Everyone gets the same bond.



Bond decisions are individualized based on multiple factors.

The prosecutor alone decides bond.



Prosecutors make recommendations but the Judge makes the final bond determination.

TYPES OF BONDS

- Recognizance Bond → Released based on a written promise to appear for future court hearings.
- Cash or Surety Bond → Requires money to be posted directly or through a bondsman.
- Conditional Bond → May include conditions such as no-contact orders or drug & alcohol testing.
- Held Without Bond → In rare situations under Ohio law, a person may be held without bond. Limited to the most serious offenses and highest risk of flight.