

**CITY OF CINCINNATI BAIL POLICY**  
*EFFECTIVE IMMEDIATELY*

Non-Violent Misdemeanor Offenses

*It is the policy of the City of Cincinnati to eliminate wealth-based pretrial detention. For nonviolent misdemeanor offenses, the presumption of this Office shall be that release on personal recognizance is the appropriate recommendation.*

- NOTE 1: This policy requires City Prosecutors to recommend OR bond to the court on nonviolent misdemeanor cases whenever the Court asks the State for its recommendation on bond.
  - This includes in RM A (or less likely in RM B) at initial arraignment.
  - This includes in a courtroom at any point after the case has been rolled to a judge and the issue of bond is raised.
  - This policy applies regardless of the number of capiases the defendant has for failure to appear.
- NOTE 2:
  - You should **not** defer to the court when asked about bond – state a position.
  - If there is reason to request a cash bond because of a threat to a victim or danger to the community, speak with your supervisor ahead of time and be prepared to articulate why an exception should be made. Exceptions should be rare.

Violent Offenses and Offenses that Endanger the Community

*For offenses of violence and offenses that endanger the community, prosecutors shall weigh each of the following factors in making a bail recommendation:*

1. *The weight of evidence against the accused;*
  2. *Whether the accused poses a substantial risk of serious physical harm to any person or the community;*
  3. *Whether alternative release conditions exist that would reasonably assure the safety of the community; and*
  4. *The probability of appearance at trial by the accused.*
- NOTE 1: Offenses of violence include the following (see R.C. 2901.01(A)(9) and the handout):
    - Assault, domestic violence, menacing, aggravated menacing, menacing by stalking, arson, inciting to violence, riot, inducing panic, and intimidation (of an attorney, victim, or witness in a criminal case).
  - NOTE 2: Offenses that endanger the community include the following:
    - Vehicular Homicide, OVI offenders with a prior conviction, sexual imposition, public indecency, telephone harassment, child endangerment, CCW, improper handling of a firearm, having a weapon while intoxicated, and TPO violations.