

DATE:	APRIL 27, 2022
NUMBER:	Q.15
SUBJECT:	BAIL BOND SURRENDER
RELATED SECTIONS:	Q.41 , Q.47

PURPOSE

To establish guidelines in accordance with legal mandates regarding surrender of bail bonds.

POLICY

To process the surrender of bail bonds in accordance with sections 1300-1306 of the California Penal Code. Bail Bond Surrenders will be accepted at all times for both misdemeanor and felony charges/cases. Bail bond surrenders will not be accepted for out of county cases. All Bail Bond Surrenders must be reviewed for accuracy by an on-duty Detentions Processing Supervisor or designee prior to acceptance.

PROCEDURE

- I. Bail bond surrenders will be accepted at all times. The bailer (or depositor) must provide one of the following:
 - A. A certified copy of the bail bond.
 - B. A certified copy of the certificate of deposit.
 - C. An affidavit given by the bail licensee or surety company listing all the specific information that would be included on a certified copy of a bail bond. (Name of defendant, DOB, charges, court of jurisdiction, bail amount, date the bail was posted, booking number (if applicable), warrant or case number (if applicable), bond number, surety company, agency, and the name of the person authorized to apprehend and surrender the defendant.
 - D. If A or B is presented, it must be accompanied by a signed letter addressed to the Detention Services Bureau whereby the bondsman, or depositor, certify the bail bond is in full force and has not been exonerated.

- II. The bail bond surrender will be processed per established procedures in the Detentions Processing Division detentions processing technician manual.
 - A. Bail bond surrenders will not be accepted if the individual is already in custody on that case.
 - B. Prior to booking, a wants and warrants check in the San Diego Law and Justice Network (SDLaw) will be conducted to determine if a warrant has been issued for the case.

C. Bail bond surrenders discovered to have already gone to warrant will be booked per the warrant with the specified bail.

- III. Within 48 hours of surrender, the defendant will be brought before the court in which the defendant is next to appear on the case for which he/she has been surrendered, per Penal Code section 1300.
- IV. If the defendant is in custody on another charge, a bailer may execute the surrender at the facility by providing those documents specified above. The defendant will be booked for an appearance in the appropriate court per Penal Code section 1300.