DATE:	MAY 23, 2022
NUMBER:	Q.41
SUBJECT:	PROCESSING OF BAIL BONDS
RELATED SECTIONS:	Q.47, P.15

PURPOSE

To ensure the validity of bail bonds received, and to standardize the processing of said bonds.

POLICY

Pursuant to California Code of Regulations, section 2068, bail bonds will only be accepted from bail agents licensed through the California Department of Insurance.

PROCEDURE

I.   Each authorized bail bond agent must have in their possession a Department of Insurance identification card confirming their status as a licensed bail agent and a valid state driver's license/identification card. A visual comparison of the identifications shall be made at each and every visitation and delivery of bail bonds to the detention facility.

II.   Prior to accepting a bond, Detentions Processing Division staff will verify the incarcerated person has cleared wants and warrants through the "Who's In Jail?" website under bail information. If the incarcerated person is cleared it will display: "Eligible for Release, Bail Amount."   If the "Who's In Jail?" indicates the incarcerated person is eligible for release, the Jail Information Management System (JIMS) will be checked to verify a "C" has been entered for the wants and warrants clearance. If the website displays "Not Eligible for Release, In Process," the bond will not be accepted.

III.   Absent a warrant, hold or detainer being placed against an incarcerated person during processing, bail agents will not be allowed to withdraw the bond after it has been posted. Should a warrant, hold or detainer be found during processing, the bail agent will be contacted and given the opportunity to withdraw the bond.

IV.   A bond is a legal document. Therefore, any and all changes made on a bond are to be made and initialed by the bail bond agent. Changes made on a bond by people other than the bail bond agent could nullify the bond as a legal document. Should there be too many changes, or if for any reason the bond is unreadable, the bail bond agent shall issue a new bond.

V.   Each bond should be checked for accuracy and completeness prior to acceptance. This check should include the following:

   A.   The names of the bonding agency and insurance company on each bond.

   B.   The license number of the bail agency issuing the undertaking.

   C.   The correctness of the court and appropriate judicial district.

D.   The defendant's name as it appears in JIMS and current booking number.

E.   The exact bail written out and indicated numerically (as in writing a check).

F.   The correct court date and time.

G.   The correct charge(s) and properly noted whether felony or misdemeanor.

H.   The signed Power of Attorney without any corrections or errors.

I.   The "premium charge" is indicated.

J.   The bail agent's signature.

K.   The correct present date.

L.   The Notary Public's seal, signature, and the date their commission expires.

M.   The "in-force" date of the bond and bail bond value conforms to the amount of bail.

VI.   After the bond is accepted and validity ensured, the bond will be date stamped in an appropriate location and entered immediately in JIMS. Bail bonds will be processed one at a time while the agent stands by. This includes bonds delivered "in mass" quantities. In the event a bond is processed at another facility for the same incarcerated person, the date stamp will determine which bond shall be returned.

VII.   After the bail bond has been processed, Detentions Processing Division staff will date and sign their initials and ARJIS in the "approved" section located on the bottom of the bond.

VIII.   After the bail bond has been processed and it has been verified that the incarcerated person was released from custody, the bond will be forwarded to the appropriate court.

A separate bond must be submitted for each individual arrest, warrant, or commit pending. A single bond will suffice for multiple charges listed on one arrest, commit pending or warrant.