

MARIN COUNTY SHERIFF'S DEPARTMENT
CUSTODY DIVISION POLICY AND PROCEDURE MANUAL

CHAPTER 3 - RELEASES

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DATE

8-03-94

BAIL AND BAIL BONDS

POLICY

Bail will be accepted 24 hours a day for inmates in our custody or inmates in another jurisdiction held on a Marin County warrant.

DEFINITIONS:

SURETY BOND - Bonds issued by a California based company with the following imprinted on the bond:

1. Name of insurance company.
2. Name of bail bond service completing the bond.
3. Bond's power number on the front page and any subsequent page.
4. Maximum amount allowed to be bonded.
5. Expiration date of bond, if there is one.

PROCEDURE

Cash bail will only be accepted in the form of U.S. currency, cashier's check, money order or travelers checks. All cashier's checks, money orders and travelers checks are to be made payable to the "Clerk" of the issuing Court (Superior or Municipal) and are only accepted when issued for the correct amount. No personal checks are accepted for bail at any time.

The licensed agents of the bonding company must fill in the city or county where the defendant is to appear, the court case number (if known), the defendant's name, the amount of bail, charges and the date and time of appearance. The agent receives this information from the SSA in the Lobby when open, or from booking when the Lobby is closed. When a bond is presented for a person held on a civil offense, the bond must contain language that states: The arrestee will abide by the order of the Court or Judge thereon. The bonding agent enters pertinent information into the Bail Book.

The staff person accepting the bond or cash bail will check CJIS court display "CTDSP" records, warrants, court orders or the bail schedule to confirm the amount of bail is correct. The SSA or Deputy counts and/or confirms the amount posted is correct. All cash bail requires a receipt and is placed in a BAIL envelope with the correct information written on the front.

Court appearances are set by the court if the defendant has been to court. The SSA confirms the court appearance date through CJIS. If the defendant has not yet been to court, the court appearance date is set by CJIS according to the latest CJIS procedure. The court appearance date is written on the bail receipt or the surety bond. Court appearances for out of county bail/bonds shall be set between 21 and 25 days from the date of release according to the jurisdiction register for criminal offenses.

The Bkg. Sergeant approves/disapproves all bail before the inmate is released. The Sergeant logs the bail into the log register and places all bail/bonds in the bail drawer in the Bkg. Sergeant's office.

Cash bail, bail register, receipt books, bail bonds and the bail bond log are transported to the Warrants Section between the hours of 0800 - 0830 Monday through Friday (except holidays). The Warrant's staff and person delivering the bail paperwork initial the bail log as they verify each bail envelope and contents.

All civil bail will be delivered to the Civil Section during business hours. Civil staff verifies the contents of each envelope along with the person delivering the bail and initials the bail log. If the Civil Section is closed, the Warrant's Section receives the civil bail and initials the log.

Federal warrants must have bail posted with the U.S. Marshal, 450 Golden Gate Ave., San Francisco, California. We cannot accept federal bail.

RELATED STANDARDS:
Penal Code, Section 1269b

DATE REVISED
None

By order of

DANIEL PAYNE
BUREAU COMMANDER