

A. RELEASING BONDING AND WARRANT INFORMATION

1. Bonding information is not available for an inmate until the booking process has been completed.
2. Whenever bonding information is to be given out, the information will be retrieved from the actual file, **not the computer**. This is to ensure that the most up-to-date information is given.
3. Most information on the Booking Sheet is considered to be public information. However, there are some specific items that will not be given out or confirmed:
 - a. The inmate's Social Security Number;
 - b. The inmate's telephone number.
4. Bondspersons as well as friends or family of inmates will routinely contact Intake and Release for the purpose of getting bonding information for an inmate they are considering bonding. Bonding information may be provided to bonding agents over the telephone if their professional status can be verified. Recognition by voice or phone number shall be sufficient verification of identity to release information by telephone. If the bonding agent cannot be recognized by voice or phone number, reasonable efforts must be made to verify their identity prior to telephonic release of information. This could include faxing of credentials, internet searches, or phone listing searches. All releases of bonding information to individuals who cannot be confirmed as professional bonding agents must be completed in person at the transaction window. This process will also apply to requests for warrant information. Warrant information can be provided to Bondsmen and Attorneys by telephone if the caller's identity can be confirmed. Warrant Section Personnel are expected to recognize the caller by voice or phone number prior to releasing the requested information. The following is information that is commonly requested and that may be given to the bondsperson:
 - a. Full name;
 - b. Date of Birth;
 - c. Listed home address;
 - d. All active case numbers with a bond listed;
 - e. The amount and type of the bond for each case;
 - f. The bonding court date or next court date as applicable for each case;
 - g. The court division, room number, or address as needed for each case;
 - h. The highest charge listed for each case.
 - i. The type of bond allowable: found on the Booking Report under 'Bond Type'; usually one of these types:
 - 1) C/S/P = Cash, Surety or Property bonds will be accepted;
 - 2) Cash Only = only a cash bond will be accepted;
 - 3) No Bond = there is no bond set on this case.
5. Bondsmen as well as the general public should be made aware most bonding information is available over the internet. Internet information is updated every 30 minutes and will closely match that which is in the Electronic Record System, dependent upon when the last update was performed. Internet information may be obtained at the Sheriff's Office web site: www.elpasoco.com/sheriff.
 - a. Look under "Services".
 - b. Click on "Search for Inmates".
6. Ensure that the person is aware that there is a fee for each bond. The fee is \$10.00 per bond.
 - a. Provide DB082 to everyone posting a bond. Once filled out, the form is to be placed into the inmate's file.
 - b. If they ask, "Do I have to pay the fee?" Inform them, "No, it is money owed by the inmate and it does not affect their ability to bond out." **THIS MEETS HB21-1280 REQUIREMENT**
 - c. Local bondsmen are aware of this requirement.
 - d. Bondsmen from other cities and citizens who wish to post cash bonds probably won't be aware of the bond fee requirement.
 - e. No one will be held in custody for any fees owed to the detention facility, or any other fees, once bond has been posted in accordance with HB21-1280: **BOND FEES, BOOKING FEES, AND OTHER FEES OR DEBTS NEVER NEED TO BE PAID TO SECURE A PERSON'S RELEASE ON MONEY BOND. A PAYOR NEED ONLY PAY THE BOND AMOUNT IN ORDER TO SECURE RELEASE.**

7. Ensure that the person seeking bonding information is aware of anything that might prevent the release of the inmate even if a bond is posted. This might include:
 - a. Holds of any kind;
 - 1) Parole;
 - 2) Probation;
 - 3) Immigration or other federal holds.
 - 4) Listed under a separate header (Detainers) in the Booking section.
 - b. Sentences that have not been completed;
 - 1) Check the 'Release Date/Time' field at the top of the Booking Report;
 - 2) Check the 'End Date/Time' field for each charge.
 - c. Other cases that are 'No Bond'.

B. AGENCY BONDS

1. Agency bonds are accepted from bondspersons licensed in the State of Colorado.
 - a. All licensed bondspersons carry a "Colorado Insurance Producer License" listing their name, date of issue, date of renewal and the types of bonds they are qualified to write.
 - b. Bondspersons must provide Intake and Release with a copy of both their bonding license, a valid ID, Agency name and telephone number, and a valid ID, usually their driver's license.
 - c. These copies are maintained in the Bail Bond Providers book near the transaction window.
2. Check the Bail Bond Providers book to ensure the bondsperson is licensed in the State of Colorado.
 - a. If the bondsperson's license information is not on file in the Bail Bond Providers book, make a copy of their state issued bonding license and their valid ID.
 - b. Place the copies in the Bail Bond Providers book.
3. Check the On the Board Report (suspended bondsperson list) to ensure that the bondsperson and their insurance company are not currently suspended.
 - a. A printed list is located at the Transaction Window.
 - 1) The date and time that the printed list was updated is printed at the top of the first page.
 - 2) It will be the responsibility of the on-duty Transaction Window Tech, or the person assigned to that post, to ensure that the posted list is the most current available.
 - b. A current list can be found on the internet at:
<http://www.courts.state.co.us/Administration/Program.cfm/Program/13>
 - c. Select 'Surety Report' under the Documents heading.
4. Pull the booking file for the inmate being bonded.
 - a. If the booking file has not been reviewed for accuracy, have a supervisor review it.
5. Match the defendant's name on the bond against the inmate's name in the booking file.
 - a. This is required information.
 - b. Look for any Aka's (Aliases) in the booking file that pertain to the case being bonded. Aliases that pertain to a case must be listed on the bond for that case.
6. Match DOB (Date of Birth) on the bond, if listed, against that listed in the file.
7. Match the case number on the bond against the case number in the file.
 - a. This is required information.
 - b. On the Booking Report, case numbers will be found in the "Warrant" field or the 'Citation' field.
 - 1) This may be a regular case number (ex.: C0212005M123456, or C0212005CR654321);
 - 2) It may be a summons number (ex.: A14059, or 2179546);
 - 3) It may be a Prelim number (ex.: Prelim 1).

8. Check to see that the “Bond Type” box for “Bail Bonding Agent” is marked on the bond. This is required information.
9. Match the dollar amount on the bond against the dollar amount required for that case in the file. This is required information.
10. Ensure the proper court address is listed on the bond by comparing the information against the booking file.
 - a. This is required information.
 - b. The Court Address will be found in at least one of two places:
 - 1) The upper left corner area of the bond form;
 - 2) In the body of the bond, where it is listed as the place of appearance.
 - c. For El Paso County cases, be sure the courtroom or division is listed on the bond in the area provided.
 - 1) This area is in the upper right corner area of the bond form.
11. Compare the court date and time listed on the bond to the bonding date in the “Comments or Dispo” box, or the next court date listed is under the Case Manager section- select the case you are reviewing – and select the Hearings tab. You can also review the next court date on the C&R. They must match. This is required information.
12. Ensure that the highest charge for each case number in the file is listed on the bond that corresponds to that case number.
 - a. This is required information.
 - b. Felonies are highest of the levels.
 - 1) The degrees of felonies are numbered F1-F6, with F1 being the highest, F6 being the lowest.
 - 2) Felonies numbered F0 (zero) are special felonies that accompany other charges. Use the highest of the other charges.
 - c. Misdemeanors are the next level down.
 - 1) The degrees of misdemeanors are numbered M1-M3, with M1 being the highest, M3 being the lowest.
 - 2) Misdemeanors numbered M0 (zero) are special offenses, often but not always traffic offenses that have been elevated to misdemeanor level.
 - i) If there are other misdemeanors, numbered M1-M3, they are higher than an M0.
 - ii) If there are no other misdemeanors and no felonies, the M0 is the highest charge.
 - d. Traffic offenses are the next level down.
 - 1) Degrees of Traffic Offenses range from T1 – TB.
 - i) T1 is highest followed by T2.
 - ii) Next is TA, with TB being the lowest degree.
 - e. Petty offenses are the lowest level of charge.
 - 1) Petty offenses are rated either P1 or P2, with P1 being the highest.
 - f. Municipal charges will be found on municipal cases separate from other cases.
 - 1) Municipal charges are not rated; all are equal and any charge listed is acceptable on the bond.
 - g. Levels and Degrees for each charge are listed on the Booking Report in fields labeled the same.
13. Ensure that the inmate’s address and phone number, if available, have been listed on the bond.
 - a. The proper place to find this information on the bond is on the signature line labeled “Party”, near the bottom of the bond form.
14. Ensure that the Power (Power of Attorney) Number has been listed on the bond. Match this number to the Power provided by the bondsman.
 - a. The proper place to find this number is near the upper right corner of the bond form.
 - b. It may be labeled ‘Bond Number’.
15. Ensure that the bondsperson has signed the bond. This is required.
16. Each agency bond must include a Power.
 - a. The exceptions to this rule are bonds that are posted by a Professional Cash Bail Agent.

- 1) If a bondsman is a Professional Cash Bail Agent, it will be noted on his Colorado Insurance Producer license.
- b. These bonds may or may not include a document similar to a Power.
- c. If a 'Power' is included, it must meet the same standards discussed below.
- d. If a 'Power' from a Professional Cash Bail Agent does not meet the standards, the bondsman may elect not to replace it.
 - 1) In this case, the bond will be sent to the court without the 'Power', since it is not required.
 - 2) 'Powers' not sent to the court will be held for the bondsman to pick up.

17. Check the Power.

- a. All information on the Power must match similar information on the bond.
 - 1) The Power may include information that is not on the bond. For instance, some powers include a place for a Social Security Number.
- b. All Powers have a maximum dollar amount listed on them for which they are valid.
 - 1) The amount of the bond cannot exceed the amount listed on the Power.
 - 2) Multiple Powers of lesser amounts cannot be combined to cover a higher bond.
- c. Some, but not all, Powers have an expiration date.
 - 1) If the Power has an expiration date, ensure that it is still valid on the date that it is being presented.
- d. Each bond must have a separate Power.
 - 1) Powers with a high value cannot be used to cover multiple bonds of lesser values.
- e. Powers are invalid if they have any errors on them.
 - 1) Powers that have any detectable changes on them are invalid and will not be accepted.
- f. Ensure the Power has been signed by the bondsperson issuing the bond.

18. Sign the bond on the lower left corner:

- a. Sign your name and your EID on the 'By' line;
- b. Enter the date and time you received the bond under your signature.

C. CASH BONDS

- 1. Cash bonds differ from Agency bonds:
 - a. They are secured with the full amount of cash instead of through an insurance company;
 - b. No Power is required;
 - c. The bond forms are usually filled out by Sheriff's Office personnel.
- 2. Bondsmen are allowed to post cash bonds if they so desire.
- 3. All of the same information is required on a bond form for a cash bond as is outlined for Agency Bonds with the following exceptions:
 - a. There will be no Power number;
 - b. The Bond Type will be either 'Cash/Self' or 'Cash/Surety', as determined by the depositor.
 - c. For all cash bonds, except Colorado Springs Municipal, use the regular bond form, identified by the letters JDF 370 at the bottom left. (Attachment 3)
 - 1) Colorado Springs Municipal court requires use of a bond form provided by them. It is identifiable by the words, "Municipal Court, City of Colorado Springs", at the top of the form. (Attachment 4)
 - 2) The same information is filled in on this form.
- 4. Cash/Self requirements:
 - a. The person must be able to produce the full amount of the bond and is no longer required to pay for all applicable fees.
 - b. There is no age requirement for a Cash/Self bond.
 - 1) Anyone may deposit money into an inmate's account for a Cash/Self bond.
 - c. Check the Cash/Self box;
 - d. Tell the depositor that in the case of a Cash/Self bond, all funds will be returned only to the defendant when the bond is released by the court.

5. Cash/Surety requirements:
 - a. The person must be able to produce the full amount of the bond. Inform them of the bond fee/s.
 - 1) If the person does not pay the bond fee/s, the inmate will not be detained for non-payment of fees alone.
 - b. The person must be at least 18 years of age in order to be able to enter into a contract if they want to be the surety;
 - c. The person must be able to produce a valid form of identification if they want to be the surety on the bond.
 - d. Check the Cash/Surety box;
 - e. Write the name of the person who wants to be the surety on the line indicating who will be the surety;
 - 1) Located the next line down from the line titled Name of Party.
 - f. Fill out the Name/Address/Telephone information on the line near the bottom of the form titled 'Surety Other Than Bonding Agent';
 - g. On the line titled 'Surety Cash Deposit' indicate how the cash is to be handled by the court:
 - 1) Cash deposited 'may' or 'may not' be used to satisfy fines, costs, etc.
 - 2) Cash deposited 'may' or 'may not' be returned to the party being bonded.
 - 3) If these areas are not completed, the courts will determine the disposition of the funds.
 - h. Obtain the signature of the person on the line titled 'Cash Surety signature'.
 - i. Obtain a copy of the surety's valid ID, to be kept with the bond.
6. Cash bonds are usually paid with cash; however, any form of deposit normally accepted can be used.
7. To post cash bond deposits on the Inmate Accounting System.
8. Pull up the record for the inmate;
 - a. Go to the Resident Transactions.
 - b. You will need to post three separate transactions.
 - 1) Receivables – Charge – Bond Fee, Amount, Inmate's Name, Add Submit
 - 2) Receivables – Charge – Bond, Amount, Inmate's Name, Add, Submit
 - 3) Add – Amount – Type – Source Information – Person Depositing the Money
 - 4) The depositor gets one receipt.
 - 5) One receipt is attached to the money. Do not drop the money in the safe until the Bond Receipts have been completed.
 - 6) One receipt stays with the Booking File.
9. Fill out the Bond Receipt.
 - a. All cash bonds require a Cash Bond Receipt.
 - b. Use the receipt books marked, "County/District Court" (Attachment 5) for all cash bonds except Colorado Springs Municipal.
 - c. In the County/District receipt book, on the top line, write the name of the county where the defendant will go to court, then circle the appropriate word for the court, either "County" or "District".
 - d. Put a check mark in the box for "Cash Bond".
 - e. Fill in the date.
 - f. Fill in the received of line with the name of the surety or if there is no surety the name of the inmate.
 - g. Fill in and the amount on the lines provided.
 - 1) The amount should be written out on the lower line marked "Dollars" at the end.
 - 2) The amount should be written in with numbers on the upper line with the "\$" sign.
 - h. On the "Date of" line, fill in the date of issue of the warrant or summons.
 - i. On the "Criminal Action No." line, fill in the case number if there is one.
 - j. If there is no case number, fill in the summons number on the "Summons No." line.
 - k. Fill in the defendant's name and the appearance date and time on the appropriate lines.
 - l. Check the appropriate box, either County or District. If the bond is being written for a municipal court, do not check any box.
 - m. On the "Judge" line, fill in the letter or number for the court, or a judge's name if you have it.
 - n. Leave blank the lines marked "Sheriff's Costs" and "Court Costs".
 - o. Sign your name and EID on the line marked "By".

- p. Colorado Springs Municipal court uses a different receipt book which is identifiable by the words, "City of Colorado Springs" on the receipts. (Attachment 6)
 - 1) On Colorado Springs receipts, fill in the payee's name if they wish to be surety or the inmate's name if the depositor is not going to be surety, on the line marked "Received of", the date and the amount on the lines provided.
 - i) The amount should be written out on the upper line marked "Dollars" at the end.
 - ii) The amount should be written in with numbers on the lower line with the "\$" sign.
 - 2) On the line marked "For" write the inmate's name, case number, the high charge, and the words "Cash Bond".
 - 3) On the line marked "By" sign your name and EID.
- 10. Distribute the receipts.
 - a. County/District receipts:
 - 1) Tear out the white, pink, yellow, and blue pages.
 - 2) Staple the white copy of the receipt to the goldenrod copy (fourth page) of the bond.
 - 3) Staple the pink, yellow, and the blue copies of the receipt to the money, then drop the money into the safe.
 - b. Colorado Springs Municipal receipts:
 - 1) Tear out the white, yellow copy and the goldenrod copy.
 - 2) Place the white copy with the money, then drop the money into the safe.
 - 3) Give the goldenrod copy to the defendant.
- 11. When all forms and receipts are complete, place them in the Booking File and take the file to be run through NCIC/CCIC and City ID.

D. BOND FEE RECEIVABLE

- 1. A bond processing fee of ten dollars (\$10.00) will be collected on each bond, regardless of what form of bond it is. This includes agency and cash bonds. **No inmate will be held in jail simply because the bond fee has not been paid. MEETS HB21-1280** Provide DB082 to everyone posting a bond. Once filled out, the form is to be placed into the inmates file.
- 2. Bond fees are usually paid with cash; however, any form of deposit normally accepted can be used by any person who wishes to pay an inmate's bond fee.
- 3. To process a Bond Fee in the Inmate Accounting System:
 - a. Resident Transactions – Receivables – Charge – Bond Fee – Inmate's Name – Add – Submit
 - b. Bond fees for multiple bonds can be entered with one transaction
 - 1) Example: If there are 4 bonds being processed, the amount would be entered \$40.00 (4 bonds x \$10.00 per bond = \$40.00).

E. BOND REVOCATIONS:

- 1. Bond revocations are presented by licensed bail bondsmen, or citizens who have posted a cash bond for another individual, after they have petitioned the presiding court to be removed as surety for the individual. In these circumstances the inmate will either already be in custody or the bail bondsman will be delivering the inmate into the custody of the El Paso County Sheriff's Office.
- 2. Bond revocations will be accepted only on bonds from courts within El Paso County. A bond revocation form (Attachment 8, forms may vary somewhat) and a certified Colorado State

Judicial 'Eclipse' computer printout with raised seal or stamp by court personnel (Attachment 10) are necessary for each bond being revoked. The following information is required:

- a. The bondsman, bonding company or individual holding the bond that is being revoked.
 - b. The person who is on the bond.
 - c. The court division, case number and charges.
 - d. The amount of the bond.
 - e. The reason the bond is being revoked.
 - f. The next court date.
 - g. Signature of the bondsman or individual revoking the bond.
3. When a bond revocation is presented at the Transaction Window, the inmate must already be in the custody of the El Paso County Sheriff's Office. The staff member will immediately access the electronic record System to determine if the individual is in custody.
 - a. If the individual is in custody, the bond revocation may be accepted.
 - b. If the individual is not in custody, the bond revocation will not be accepted.
 4. If the individual is in custody, an NCIC/CCIC check will be conducted to determine whether a warrant exists for the case in question.
 - a. If a warrant has not been issued for the case that the bondsman wants to revoke, the bond revocation will be accepted.
 - b. If a warrant has been issued for the case that the bondsman wants to revoke, the bond revocation will not be accepted.
 - 1) A copy of the warrant and the inmate's file will be taken to the Intake and Release supervisor so that an In-Custody Booking can be completed.
 5. If the Bond Revocation is accepted at the Transaction Window, it will be given to the Intake and Release supervisor so that an In-Custody Booking can be completed.

