

	<b>MARICOPA COUNTY SHERIFF'S OFFICE</b> <b>POLICY AND PROCEDURES</b>	
	<b>Subject</b>  <b>BOND SURRENDERS</b>	<b>Policy Number</b> <b>DE-2</b>
		<b>Effective Date</b> <b>06-24-22</b>
<b>Related Information</b> ARS 13-3974	<b>Supersedes</b> DE-2 (04-06-16)	

**PURPOSE**

The purpose of this Office Policy is to establish guidelines and procedures for the acceptance and processing of bond surrenders.

**POLICY**

It is the policy of the Office to ensure bond surrenders are accepted for cases or charges within the Maricopa County judicial jurisdiction and are expeditiously processed by Office personnel upon determination of the validity of the case information.

**DEFINITIONS**

**Bond:** Something given or pledged to secure the fulfilment of a promise or obligation to appear in court at the scheduled time and date as ordered by the court.

**Bond Surrender:** The delivery of a defendant who had been released on bail by a bonding agent to the custody of the Office.

**Booking Process:** The entering of information, such as charges and personal data, into the Pre-Booking System for prisoners who have been accepted into an Office jail facility as an inmate.

**Custody File:** The file containing the inmate's judicial and custodial records. The Custody File consists of two files, the Commitment and Jail File.

**Inactive Release:** The transfer of an inmate into the custody of an out-of-county agency awaiting return to Maricopa County Sheriff's Office (MCSO) custody.

**Inmate:** A person who has been accepted for confinement into an Office jail facility.

**Judicial Control:** Authority which results from having possession of the legal documents authorizing an individual to be detained in, or released from, custody, such as arrest sheets, booking information, and court orders. The division that has physical control of these documents has judicial control.

**Sheriff's Inmate Electronic Data (SHIELD):** An Office jail management system containing information about individuals who are, or have been, incarcerated or booked into an MCSO jail facility. Information is entered in this database when an individual is booked and updated throughout the term of incarceration. This includes, but is not limited to: inmate's charges; holds; court dispositions; bond and fine amounts; inmate listed booked in personal property; locker assignments; housing locations; restrictions; emergency medical information; scheduled inmate appointments; and the day to day operations of jail facility housing unit shift logs.

**PROCEDURES**

1. **Judicial Jurisdiction of Bond Surrenders:** Bond surrenders shall only be accepted on cases or charges within the Maricopa County judicial jurisdiction. Cases involving out-of-county courts shall not be accepted as bond surrenders; however, an out-of-county court may send a document or teletype message requesting a detainer be placed on an in-custody inmate.
2. **Acceptance of Bond Surrenders:** Bond surrenders for inmates in the custody of the Office shall be accepted by Sheriff's Information Management Services (SIMS) personnel.
  - A. The bonding company shall provide SIMS with a completed Affidavit for Exoneration of Bond Form prior to the bond surrender being processed. This form attests to the accuracy of the case information. Completed Affidavit for Exoneration of Bond Forms shall be reviewed by the accepting SIMS Inmate Release Specialist and given to a SIMS Inmate Release Specialist lead for approval at the time of surrender.
  - B. The SIMS Inmate Release Specialist accepting the bond surrender shall be responsible for distributing a copy of the Affidavit for Exoneration of Bond Form to the applicable courts of jurisdiction.
3. **Processing of Bond Surrenders:** Processing bond surrenders may be in the form of a new booking, where the bonding company acts as the arresting agency and delivers the defendant to the custody of the Office, or they may be added as new charges when the individual is already in custody on other charges, as specified in Arizona Revised Statute 13-3974.
  - A. If the defendant is to be booked into custody at the Intake, Transfer, and Release (ITR) facility, ITR personnel shall be notified, and a copy of the Affidavit for Exoneration of Bond Form shall be provided. Upon completion of the booking process, the affidavit shall be placed into the inmate's Custody File.
  - B. If new charges are to be added to the booking record of an inmate already in custody, or if the charge is already entered in the Sheriff's Inmate Electronic Data (SHIELD) but the disposition needs to be changed, the appropriate SHIELD format will be updated by SIMS personnel and a copy of the affidavit shall be forwarded to the area having judicial control of the inmate.
4. **Inactive Release Status Bond Surrenders:** When the bond surrender is for cases or charges originating from Maricopa County judicial jurisdiction, and the inmate is currently on an inactive release status with another agency, the bonding agent shall be referred to the applicable court of jurisdiction by SIMS personnel.