

	<b>MARICOPA COUNTY SHERIFF'S OFFICE</b> <b>POLICY AND PROCEDURES</b>	
	<b>Subject</b>  <b>SURETY APPEARANCE BONDS</b>	<b>Policy Number</b> <b>DE-3</b>
		<b>Effective Date</b> <b>07-14-22</b>
<b>Related Information</b> DO-2, Release Process		<b>Supersedes</b> DE-3 (04-22-15)

## PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for the acceptance and processing of surety appearance bonds.

## POLICY

It is the policy of the Office to ensure that a surety appearance bond may only be accepted if it meets the Maricopa County Sheriff's Office and Superior Court guidelines. Surety appearance bonds shall be processed by the Sheriff's Information Management System (SIMS).

## DEFINITIONS

**Commitment File:** The file containing the inmate's judicial records pertaining only to charges, holds, or sentencing information.

**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 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.

**Surety Appearance Bond:** A sum of money paid by a bonding agent to secure the release of an inmate in Office custody who is awaiting trial, with the condition that they will appear in court on the date of trial.

## PROCEDURES

1. **Acceptance of Surety Appearance Bonds:** Surety appearance bonds shall only be accepted when they have met Office and Superior Court guidelines.
  - A. A surety appearance bond shall be accepted from an authorized bonding agent for any inmate in Office custody regardless of court and jurisdiction within Maricopa County and as long as the bond has not been designated as "cash only." Only the Sheriff's Information Management System (SIMS) Specialist shall accept surety appearance bonds for inmates in Office custody. SIMS will

advise the division having judicial control of the inmate that a surety appearance bond has been accepted.

- B. Authorized bonding agents posting surety appearance bonds must be listed on the current Monthly Report of Current Bail Bondsmen provided by the Clerk of the Superior Court.
  - C. A surety appearance bond must meet the financial limitations and the authorized time limits set forth by the Clerk of the Superior Court.
  - D. The SIMS Specialist receiving a surety appearance bond shall compare the surety appearance bond information with the arrest booking information. All information must be correct prior to accepting the surety appearance bond, including the inmate's name, booking number, the court of jurisdiction, the case or warrant number if applicable, the bond amounts, and the charges.
  - E. Surety appearance bonds shall not be accepted for warrants prior to an inmate's appearance in the Initial Appearance (IA) court.
2. **Bonding Agent Responsibilities:** It is the responsibility of the bonding agent to provide the surety appearance bond, completed with all pertinent information. A surety appearance bond may only be written for one defendant and may include only one case per bond. If any corrections to the surety appearance bond are necessary, they shall be completed and initialed by the bonding agent.
3. **Updating Sheriff's Inmate Electronic Data (SHIELD):** The appropriate SHIELD formats will be updated by a SIMS Specialist, to include entering the bonding company's name and all current information. If **all** charges have been satisfied, the release process shall begin. Procedures for releasing an inmate from Office custody are specified in Office Policy DO-2, *Release Process*.
4. **Forwarding the Original Surety Appearance Bond:** The original surety appearance bond is the official document for the court record and shall be processed in the following manner:
- A. A SIMS Specialist shall ensure the original surety appearance bond is forwarded through inter-office mail to the Maricopa County Superior Court or mailed to the appropriate Municipal Court.
  - B. A SIMS Specialist shall ensure a copy is placed in the inmate's Commitment File.