

**LARIMER COUNTY SHERIFF'S OFFICE
POLICY MANUAL
BONDING/RELEASE**

71700.1 PURPOSE AND SCOPE

Verification of identity, release authority, preparation of bond, disposition paperwork, or any other documented authorization for the release of inmates from permanent or temporary custody is required to ensure proper legal release. ACA Standards: 4-ALDF-5B-18

71700.2 TRAINING

Training in bonding and release procedures occurs to ensure that release paperwork is valid and complete when preparing inmates for release. The release paperwork is prepared in accordance with the booking post orders and training.

71700.3 DOCUMENTATION

Complete release information is documented in the jail management system at the time of release from custody.

71700.4 CASH BONDS

Cash bonds may be posted via credit card, cash, money order, or cashier's check. When a bond is being posted by money order or cashier's check, it should be made out to the "Clerk of Courts" or "Court Clerk". If the bond money is being deposited via credit card, the money transaction system may not charge fees greater than 3.5%. If cash is being deposited for the purpose of posting bond, the money transaction system shall not charge a fee. Neither depositor nor surety is asked to use bond money to pay an inmate's debt. Contact information for the depositor and the deposit receipt shall be forwarded to the Court Clerk..

71700.5 TIMELINESS

Release on bond shall take place within 6 hours. Any delay of release greater than 6 hours will be documented in the jail management system. If the release does not occur within 6 hours, booking staff shall inform both the defendant and surety, if any, of the reason for the delay. An inmate may choose to stay in jail for extenuating circumstances, including inclement weather, lack of transportation, or lack of shelter.

71700.5.1 PERSONAL REGOGNIZANCE BOND

In the case of a personal recognizance bond, inmates posting bond shall be released within 6 hours of (1) being physically present in the jail and (2) bond being set.

71700.5.2 OTHER

In the case of all other types of bonds, inmates posting bond shall be released within 6 hours of (1) being physically present in the jail and (2) upon receipt of notification that the bond is prepared to be posted. The Surety, or third-party payer, need not go to the jail in person to post bond.

71700.6 BOND PAPERWORK

Booking staff shall certify, in writing, that the surety received a copy of the bond paperwork, to include the defendant's next court date, and the notice of legal rights related to posting money bond.

71700.7 POSTING NOTICES

The notice of legal rights related to posting money bond shall be posted in the inmate dayrooms, booking lobby, jail public lobby, Sheriff's Office website, and inmate handbook. Before posting bond, this notice shall be provided to the defendant, the Surety, or third-party payer, if any. Notice is as follows:

Legal Rights Related to Posting Money Bond Pursuant to Section 16-4-102, Colorado Revised Statutes

1. Bond fees, booking fees and other fees or debts never need to be paid to secure a person's release on money bond, including when bond is posted online. A payor defendant, surety or another third-party payer need only pay the bond amount in order to secure release.
2. While never a basis to hold a defendant in jail, the following fees are chargeable as a debt to the defendant after release if the payor surety or another third-party payer chooses not to pay the fees at the time of bonding: A \$10 Bond Fee and a maximum 3.5% credit card payment fee. No other bond-related fees may be charged at any time, including any kiosk fees or fees for payment by cash, check or money order, including when bond is posted online.
3. Bond Payments are to be made out to the holding county and are never to be made out in the name of the incarcerated person.
4. A Sheriff must release a defendant within six hours after a personal recognizance bond is set and the defendant has returned to jail or within six hours after a cash bond has been set and the defendant has returned to the jail or within six hours after a cash bond has been set and the defendant has returned to the jail and the defendant, or surety, or third party payer notified the jail that bond is prepared to be posted, unless extraordinary circumstances exist. If the bond is posted online, the six-hour release timeline begins when the defendant, surety, or third-party payer submits payment for a bond or electronically files a power of attorney. In the event of a delay of more than six hours, a surety or third-party payer and the defendant have a right to know what, if any, extraordinary circumstance is causing the delay. Supervisory conditions of release do not justify a delay in release; except that a sheriff may hold a defendant for up to 24 hours if necessary to ensure a defendant is fitted with required electronic monitoring.
5. Anyone who posts a money bond, including bond posted online, has the right to receive a copy of the bond paperwork, including documentation of the next upcoming court date.

6. A surety or third-party payer may never be asked to use posted bond money to pay a defendant's debts. Only when defendants have posted their own money bond may they be asked if they would like to voluntarily relinquish bond money to pay their debts. Relinquishment of bond money by a defendant to pay a debt is never required and is entirely a voluntary choice by the defendant

There are several ways to initiate a complaint against a Larimer County Sheriff's Office employee:

1. Contact any supervisor who may be able to assist or pass your information to an Internal Affairs investigator for further follow up if necessary.
2. Call the Comment Line at (970) 498-5187.
3. Pick up a Citizen Information Report from our front desk (or download and print <https://www.larimer.org/sheriff/quick-links> or scan below qr-code) and submit it in person or through the U.S. Postal Service.

71700.8 TRANSFER OF CUSTODY



If the inmate is to be transferred to the custody of another person or agency, release authority must be received. Before transfer, identification of the person accepting custody is verified.

71700.9 PROPERTY

All personal property belonging to an inmate is returned at the time of release, including any that was seized as contraband. The inmate returns all jail property. This is documented on the Property Accountability Sheet (LCSO/D-30).

71700.10 MENTAL HEALTH

Any inmate that has been placed on a 15-minute watch due to emotional instability must be cleared by the Mental Health staff prior to release.