

MONTGOMERY COUNTY SHERIFF'S OFFICE

JEFFERY T. SMITH
SHERIFF



CARL J. RUST
UNDERSHERIFF

200 CLARK DRIVE, P.O. Box 432, FULTONVILLE, NEW YORK 12072 ★ (518) 853-5500/(518)853-4096 FAX

MONTGOMERY COUNTY SHERIFF'S OFFICE CORRECTIONS DIVISION POLICY AND PROCEDURES INCARCERATED INDIVIDUAL PROGRAMS / SERVICES	NUMBER: CD-10-07-00 EFFECTIVE DATE: 05-21-03 REVISION DATE: 08-03-06 PAGE: 1 OF PAGES
SUBJECT: BAIL BONDS	DISTRIBUTION: ALL AUTHORIZED PERSONNEL
AUTHORITY: SHERIFF	ISSUED BY: ADMINISTRATOR
REFERENCES:	

POLICY:

THE MONTGOMERY COUNTY CORRECTIONAL FACILITY WILL NOT RECOMMEND A BONDSMAN TO AN INCARCERATED INDIVIDUAL, BUT WILL ASSIST HIM / HER BY AVAILING THEM WITH A TELEPHONE BOOK WHERE THE INCARCERATED INDIVIDUAL MAY OBTAIN THE NAMES AND NUMBERS OF ANY LISTED BONDSMAN IN THE AREA.

DEFINITION:

BOND- A BOND IS A PROMISE BY AN INCARCERATED INDIVIDUAL, TO THE COURT, THAT SAID INCARCERATED INDIVIDUAL WILL APPEAR FOR COURT WHEN SCHEDULED. THE PROMISE CONTINUES UNTIL THE BOND IS ORDERED RELEASED BY A JUDGE. WHILE RELEASED ON BOND, THE INCARCERATED INDIVIDUAL MAY NOT LEAVE THE STATE WITHOUT THE WRITTEN PERMISSION OF THE COURT. THE AMOUNT AND TYPE OF BOND THE COURT SETS IS BASED ON:

- A. THE TYPE OF CRIME OR CRIMES WITH WHICH THE INCARCERATED INDIVIDUAL IS CHARGED OR IS BEING HELD FOR INVESTIGATION;
- B. THE INCARCERATED INDIVIDUAL'S PAST CRIMINAL RECORD;

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- C. THE INCARCERATED INDIVIDUAL'S EMPLOYMENT AND RESIDENCE HISTORY;
- D. THE INCARCERATED INDIVIDUAL'S FAMILY AND COMMUNITY TIES.

PROPERTY BOND-- A BOND WHICH IS BACKED BY SUFFICIENT EQUITY IN A HOME OR BUILDING.

CASH BOND-- PERSONAL CHECKS WILL NOT BE ACCEPTED FOR CASH BONDS. BONDS MUST BE POSTED WITH CASH, MONEY ORDER OR A CERTIFIED BANK CHECK;; THESE MUST BE MADE PAYABLE TO THE "SHERIFF OF MONTGOMERY COUNTY". CASH BONDS MAY BE ACCEPTED AT THE FACILITY AT ANY TIME.

SURETY BONDS (PROFESSIONAL BAIL BONDS)-- ALL INCARCERATED INDIVIDUALS WILL BE GIVEN THE OPPORTUNITY TO CONTACT A PROFESSIONAL BAIL BONDS-PERSON. THE SERVICES OF THIS PROFESSIONAL INDIVIDUAL WILL BE THE INCARCERATED INDIVIDUAL'S FINANCIAL RESPONSIBILITY.

PERSONAL RECOGNIZANCE BONDS (P.R. BONDS)-- ALL INCARCERATED INDIVIDUALS HAVE THE RIGHT TO CONTACT THEIR ATTORNEY, OR THE MONTGOMERY COUNTY PROBATION DEPARTMENT TO INQUIRE ABOUT THEIR ELIGIBILITY FOR THE "RELEASED ON YOUR OWN RECOGNIZANCE PROGRAM".

GENERAL INFORMATION:

1. IT IS THE RESPONSIBILITY OF THE INCARCERATED INDIVIDUAL TO CONTACT THE COURTS AFTER THE FINAL DISPOSITION OF HIS / HER CASE TO OBTAIN ANY BOND MONEY THAT MAY BE OWED TO HIM / HER.
2. FAILURE OF THE INCARCERATED INDIVIDUAL TO APPEAR IN COURT WHEN REQUIRED, MAY RESULT IN THE INCARCERATED INDIVIDUAL AND / OR THE CO-SIGNER OF THE BOND (IF APPLICABLE) BEING RESPONSIBLE TO THE COURT FOR THAT AMOUNT OF MONEY FOR WHICH THE BOND WAS POSTED.
3. A WARRANT FOR THE ARREST OF THE INCARCERATED INDIVIDUAL WILL BE POSTED FOR FAILURE TO APPEAR IN COURT WHEN REQUIRED.