**DEPARTMENT OF PUBLIC SAFETY****CORRECTIONS ADMINISTRATION
POLICY AND PROCEDURES****EFFECTIVE DATE:**

NOV 02 2009

POLICY NO.:

COR.16.06

SUPERSEDES (Policy No. & Date):

COR.16.06 05/25/93

SUBJECT:**BAIL AND BOND RELEASE, RESTRICTIONS ON**

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1.0 PURPOSE

To establish correctional facilities responsibilities with respect to the release of inmates pursuant to bail and bond.

2.0 REFERENCES

.1 Hawaii Revised Statutes, Chapters 804 and 353.

3.0 POLICY

In keeping with the intent and provisions of the Hawaii Revised Statutes, the collection of cash bail or the receipt of surety bonds for the release of inmates shall not be performed by Corrections personnel. The collection of bail money or the receipt of surety bond by correctional facility personnel for an inmates' release is not authorized by statute.

4.0 PROCEDURES

- .1 Any individual appearing at a correctional facility who desires to post prescribed bail for the release of an inmate shall be directed to the appropriate court or police facility, as the case dictates, for posting of bail.
- .2 Under circumstances where the posting of required bail is to be by surety bond, the same procedure shall be followed.
- .3 The release of inmates on bail or bond shall be made only after a duly authorized notification is received from the court or proper police authority and the individual desiring such release appears at the facility with a bail receipt or bond release form with the seal of the court indicating the bail or bond has been posted.
- .4 It shall be the responsibility of the employee authorizing the release to check and ensure that the amount shown on the receipt(s) is the correct amount of bail set in all of the Order(s) Pertaining to Bail, that the arrest report numbers all match, and further that there are no other pending charges that are not covered by the bail receipt. If the bail receipt(s) shows an insufficient amount of bail, the inmate shall not be released.

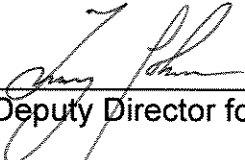
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- .5 It shall be the responsibility of the employee authorizing the release to ascertain that the individual being released is in fact the inmate for whom the bail or bond has been posted.
- .6 If there is any doubt or question concerning the validity of receipts shown or proper identity of the individual to be released, no release shall be effected until verification is made with the court or police facility involved.
- .7 A certified copy of the bail receipt or bond release shall be retained and become a permanent part of the inmate's file.
- .8 Inmates may only be held on a surrender of sureties charge if the discharge form has been signed and acknowledged by staff in the judiciary. When there is a surrender of sureties and the inmate is brought to a PSD facility, staff should contact the court assigned to the case to verify that the court is aware the inmate is back in custody and the bond has been surrendered in the case in question. A memo to the file should be entered noting the court was notified with the date, time, and person notified.

5.0 SCOPE

This policy shall apply to all correctional facilities.

APPROVAL RECOMMENDED:

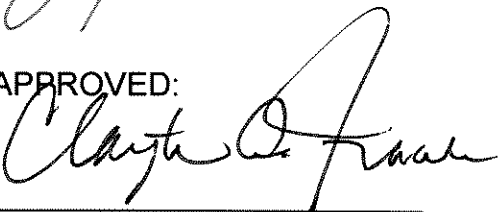


 Deputy Director for Corrections

10/26/09

 Date

APPROVED:



 Director

11/26/09

 Date