



Kern County Sheriff's Office

Policies and Procedures

TITLE: BONDSMAN/AGENT ARRESTS OF BAIL		NO: H-310	
JUMPERS			
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
December 14, 1998	10/20/2020	00/00/00	11/17/2017

POLICY

If a bondsman or their agent contacts the Sheriff's Office asking for assistance in arresting a person who has been admitted to bail in another state, who has escaped bail, and who is presently in Kern County, Sheriff's deputies will verify the following prior to making the arrest:

- There is a warrant for the individual in NCIC, or
- that a bondsman or their agent seeking to arrest a fugitive in our jurisdiction has filed an affidavit with a magistrate in Kern County which states the name and whereabouts of the fugitive, the offense with which the alleged fugitive was charged, or of which he was convicted, the time and place of same, and the particulars in which the fugitive has violated the terms of his bail

If there is a warrant in NCIC or the magistrate has issued a warrant of arrest on the fugitive, deputies will attempt to arrest the fugitive. If there is no warrant, Sheriff's personnel will instruct bondsman or their agent how to contact a magistrate and obtain one. Deputies will caution bondsmen and their agents about PC 847.5, which deems it a misdemeanor to take someone into custody without a warrant.

Bondsmen or their agents will not be allowed to accompany or assist Sheriff's personnel in the arrest of the fugitive. They will be notified of the outcome of the attempt to serve the arrest warrant. Arrestees will not be turned over to bondsmen or their agents. Arrestees will be transported to jail by Sheriff's personnel.

DIRECTIVE A

Sheriff's personnel receiving information of a bondsman, or their agent, requesting assistance of law enforcement in affecting an arrest on an individual who has escaped bail will notify the on-duty supervisor and the Watch Lieutenant.

DIRECTIVE B

Sheriff's personnel will determine whether the bondsman/agent is armed with a handgun or other weapon. If they are armed, their right to carry the weapon in our jurisdiction will be investigated. Individuals carrying weapons in violation of the law will be arrested and have their weapon seized.

DIRECTIVE C

Bondsmen or their agents who have not filed an affidavit with a magistrate in Kern County and obtained an arrest warrant will be instructed to do so. Sheriff's personnel will obtain the telephone number of the on-duty magistrate from the Sheriff's Communication Center and obtain the information from the judge on how, when, and where to obtain a warrant. This information will be passed on to the bondsman or their agent. They will be informed that a bondsman or agent who takes a fugitive into custody, except pursuant to an order issued under PC 847.5, will be guilty of committing a misdemeanor.

The on-duty supervisor or deputy will:

- Determine if there is an NCIC warrant or warrant of arrest issued by a magistrate in Kern County on the fugitive.
- If there is no warrant, instruct the bondsman or their agent on how to obtain one per Directive C above.
- Notify the on-duty Watch Lieutenant.
- Notify the Communications Center.
- Inform the bondsman or their agent they may not accompany deputies on the service of the arrest warrant.
- Attempt to serve the warrant.
- Notify the bondsman or their agent of the outcome of the service attempt.
- Ensure arrestees are transported to jail by Sheriff's personnel.

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