

Posting of Bail After Hours

Purpose: This document is to be used as a reference for accepting Bail during non-business hours on behalf of Chester County District Judges and the Chester County Clerk of Courts by the Chester County Prison as ordered by the President Judge of Chester County Court of Common Pleas within Chester County Rule of Criminal Procedure 117(2)(a)(iii).

Applicability: To all deputized supervisory corrections personnel, approved by the Chester County Prison Warden and Bail Administrator (Chief Adult Probation Officer), involved with discharging of inmates.

Policy: The Chester County Prison WILL accept bail money, prepare and execute the Bail Bond, the Bail Release Conditions Form*, the Surety Information Form, the Clerk of Courts responsibility of Surety Form and the Bail Payment Form, and prepare the inmate for discharge **ONLY** on the specific OTN number in which Bail has been set and **ONLY** when the following conditions are met:

NOTE: *A Bail Release Conditions Form MAY not accompany the Bail Bond if there are no conditions of release other than Bail Amount.

1. The Bail Posting occurs outside of normal business hours of 8:30 am to 4:00 pm Monday through Friday.
2. Chester County Prison has the Bail Bond, the Bail Release Conditions Form (if applicable), the Surety Information Form, the Clerk of Courts responsibility of Surety Form and the Bail Payment Form for the specific OTN number.
3. The Bail Amount has been posted using EPay Bail through the UJS Portal. (Chester County Prison must have access to MDJS and CPCMS for verification); or the surety has the necessary funds in cash to pay the full amount to the Chester County Prison designated personnel.
4. The Bail Bond will be used as the committing paperwork as well as the paperwork for releasing the inmate.

Procedure:

1. When Bail is set, the Bail Bond, the Bail Release Conditions Form (if applicable), the Surety Information Form, the Clerk of Courts responsibility of Surety Form and the Bail Payment Form will be generated and printed by the MDJ Court or Chester County Clerk of Courts.
2. The Judge setting Bail will sign and date the Bail Bond and the Bail Release Conditions Form (if applicable).
3. The Bail Bond, the Bail Release Conditions Form (if applicable), the Surety Information Form, the Clerk of Courts responsibility of Surety Form and the Bail Payment Form will accompany

the defendant to Chester County Prison as the committing document as outlined in Pa.R.Crim.P. 525(C). The Bail Bond paperwork must be received by Chester County Prison by close of business on the day Bail is set, whether transported directly with the defendant or faxed to Chester County Prison.

4. Chester County Prison will only execute Bail Bonds and receive money outside of normal business hours of 8:30 am – 4:00 pm Monday through Friday.
5. Chester County Prison will not accept cash Bail for an amount higher than \$9,500.00 or a percentage cash bail higher than \$95,000.00 (10% = \$9,500.00). (Due to Federal tax law reporting requirements for deposited amounts in excess of \$10,000 cash.)
6. Any person wishing to post bail MUST first contact Chester County Prison at 610-793-1510 prior to posting through EPay Bail or arriving at the Prison.
7. Chester County Prison personnel will confirm with the potential surety:
 - (A) The amount of money needed to post bail,
 - (B) If there are non-monetary conditions of release preventing the inmate from being discharged outside of normal business hours**,
 - (C) Any detainers not associated with the OTN number for posting of Bail that have been lodged against the inmate preventing release,
 - (D) Chester County Prison will designate a time for the surety to arrive and transport the inmate off the Chester County Prison grounds (if nothing is preventing release other than Bail); or inform the surety that posting through EPay Bail is acceptable.
 - (i) **Certain non-monetary conditions of bail will prevent the inmate discharge outside of normal business hours. Examples: Nebbia hearings, Drug and Alcohol evaluations at CCP, verifiable address condition.
 - (ii) Standard Conditions of Bail will not prevent release. Example: Supervision by Chester County Pretrial Services, No Contact, must refrain from drug use.
8. Upon arrival at Chester County Prison, any cash received from surety will be placed in the safe designated by Chester County Prison.
9. **ALL** cash received must be receipted to the surety using the Bail Payment Form. The Bail Payment form must be fully completed:
 - i. Received from Last Name, First Name of surety;
 - ii. Select the option for the surety
 - iii. Depositors Last Name, First Name and Signature if applicable.
10. Once all conditions set forth are met, the inmate will be brought to the Chester County Prison Discharge area and complete the following:

(A): The Bail Bond will be executed completely with:

- a. Signature of defendant
- b. Defendant's address
- c. Signature of surety
- d. Signature of witness (CCP designated personnel)

(B): The Surety Form will be executed completely with:

- a. Signature of surety
- b. Address of surety
- c. Signature of witness (CCP designated personnel)

(C): The Clerk of Courts responsibility of Surety Form

- a. Signature of Surety
- b. Date signed

(D) The Bail Release conditions Form (if applicable) will be executed completely with:

- a. Signature of defendant

(E): Copies of the Bail Bond, Bail Release Conditions Form, Surety Information Form, the Clerk of Courts responsibility of Surety Form and Bail Payment Form will be made and distributed as outlined:

- a. To the Defendant
- b. To the Surety
- c. For the appropriate MDJ Court or for the Clerk of Courts
- d. For the Pretrial Services Unit of the Adult Probation Department
- e. Chester County Prison Records

11. The inmate will be discharged according to Chester County Prison Protocol for release of inmates, including but not limited to contacting law enforcement in domestic violence related cases.
12. If the person posting bail wishes to act as surety but fails to report to the Chester County Prison to execute the required surety documents, the defendant will not be released from the prison. If the person posting bail wishes the defendant to serve as surety, then the defendant will be required to execute all surety related documents prior to release. Following such execution by the defendant, CCP will follow normal procedures for discharge, which may include:
 - (A) Transporting the defendant to the West Chester bus depot located across from Chester County Justice Center, regardless of the time of day or day of year.
 - (B) Temporarily holding the defendant for a designated period of time for safety reasons, e.g., until heated shelter is available during freezing temperatures.
13. All monies received at Chester County Prison, along with all associated paperwork related to the posting of Bail, will be transported by Chester County Prison designated personnel on the next business day to the appropriate MDJ Court or to the Chester Clerk of Courts.
14. IN THE EVENT THERE ARE INCONSISTENCIES WITH COMMITTING PAPERWORK FOR THE SPECIFIC OTN NUMBER ASSOCIATED WITH THE BAIL, THE BAIL BOND WILL NOT BE EXECUTED AND THE DEFENDANT WILL NOT BE DISCHARGED. CHESTER COUNTY PRISON

WILL NOT BE RESPONSIBLE FOR VERIFICATION OF BAIL POSTED THROUGH EPAY BAIL,
UNLESS NOTIFIED BY THE SURETY.