

## **Legal Rights Related to Posting Money Bond**

Pursuant to Section 16-4-102, Colorado Revised Statutes; Colorado HB 25-1015

- 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 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 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 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 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, **INCLUDING WHEN BOND IS POSTED ONLINE.** Relinquishment of bond money by a defendant to pay a debt is never required and is entirely a voluntary choice by the defendant.

### **Paying the Bond**

Bonds can be posted at the El Paso County Sheriff's Office 24 hours a day. The Office will accept the bond in cash, money order, or credit/debit card pursuant to El Paso County's policies regarding credit or debit transactions. The jail also charges a \$10 nonrefundable fee for each bond and there is a \$30 booking fee charged each time someone is booked into the jail. Per HB 25-1015; Bond fees, booking fees, and other fees or debts never need to be paid to secure a person's release on a money bond, **INCLUDING WHEN BOND IS POSTED ONLINE.** A DEFENDANT, SURETY, OR OTHER THIRD-PARTY PAYER need only pay the bond amount in order to secure release.

Unless the court specifies that a bond is "cash only", meaning no surety, you may hire a bondsman to post the bond. Typically, a bondsman will charge 10 to 15 percent of the total bond. He may require a co-signer and collateral.

Bonds may be paid online with a debit or credit card at **719-390-2142.**

**To file a complaint about violations of these provisions please contact El Paso County Sheriff's Office Internal Affairs at 719-520-7345 or email: [SHROTSComplaints@elpasoco.com](mailto:SHROTSComplaints@elpasoco.com)**