



Everything You Need to Know About *Posting Bail in Utah*



24/7 Bail Bonds

Any Time • Any Day • Anywhere in Utah!



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Bail Terminology

- **Bail Jumping:** An activity in which someone who was released on bail attempts in order to evade a court appearance to avoid a trial, possible conviction, and sentence. This is also known as bail skipping.
- **Bailee:** A person to whom personal property is delivered in bailment.
- **Bondsman:** A person who pays for the release of a prisoner on bail.
- **Bail Bond:** A written promise that is signed by a defendant to ensure that a criminal defendant will appear in court at the scheduled time and date, as ordered by the court.
- **Bail Commissioner:** An individual appointed by the state who sets the amount of bond for individuals being detained at a police station prior to court.
- **Excessive Bail:** The amount of bail posted by an accused defendant that is much more than typically necessary to assure they will appear in court.
- **Personal Recognizance:** A pretrial release of a defendant from jail without bail.
- **Surety:** The promise to pay one party a certain amount if a second party fails to meet certain obligations.



Bail Terminology

continued

- **Inmate:** A person confined to an institution such as prison.
- **Indemnitor:** An individual who agrees to assume the obligation normally placed on the surety if the person who is out on bond was issued on defaults.
- **Collateral:** A bond that is secured by a financial asset – Such as stock.
- **Forfeiture:** A bond where the full penalty is payable upon breach of the condition regardless of amount lost.
- **Aiding and Abetting:** a legal doctrine that is related to the guilt of someone who assists in the commission of a crime.
- **Fugitive Recovery Agent:** Also known as a bounty hunter, an individual who is utilized by a bail bond agent to apprehend a defendant who was released on bail and failed to appear in court when required.
- **Extradition:** The process of transferred a convicted criminal back to the country the crime took place.



Bail Types



- **Surety Bond:** A bail bond is a surety bond. It is called a surety bond because bail bond companies are licensed by the state Department of Insurance. The 10% bail bond premium is a legal form of surety insurance to the court which insures the court that the accused will fulfill the court's requirement to appear in court as many times as necessary until the charge(s) are resolved by the court.
- **Cash Bond:** A transaction in which a defendant deposits a certain amount of money to the court to gain a temporary release from jail.
- **Property Bond:** A bond that is secured by the title to the defendants own property.

The Bail Process

1) When an individual is first arrested, they are taken to a police station to be booked. During this time, your information is taken by the booking officer, background checks are ran, and you are processed for the accused crime; this is all prior to incarceration. Once the defendant is through with processing and is booked; they are left with several options for release.

a) When a defendant has committed a less serious crime, they can typically be bailed out almost immediately following booking.

b) If the booking officer doesn't deem that option appropriate, the defendant will be forced to wait for a bail hearing to take place. (usually less than 48 hours)

i) Bail amount are left to the discretion of the judge. When deciding on the amount of bail required for release, multiple variables are considered such as the defendant's criminal background (if they have one), the severity of the crime, ties to the community, their history of showing up for court appearances, and of course; whether or not they are considered an immediate danger to society.

ii) Due to the Bail Reform Act, if a defendant is eligible for bail they are entitled to a bail hearing. At these hearings, the subject of whether the defendant is guilty or innocent is not a matter of the discussion; but whether the individual is believed to appear at their scheduled court date.



Bail Hearing Outcomes

Although bail can be denied if the judge doesn't feel as though they will show up for court or behave within society; there can be various other outcomes from a bail hearing such as:



1) The defendant can be released on their own recognizance. A release on your own recognizance is essentially a written promise that is signed by the defendant agreeing to show up for all future appearances and to not engage in any illegal activity. This is granted based on a variety of factors such as: the seriousness of the crime, a background check, employment, and whether or not the individual is seen as a flight risk.

2) The defendant can be released on an unsecured bond. When this route is taken, it is done under the agreement that holds the defendant liable for any breach of the bond's conditions. This bond acts as a contract that the individual signs and agrees to appear before the court. If the defendant fails to do so, they will have to repay the agreed bail bond amount.

Bail Hearing Outcomes

continued

3) The amount of cash bail will be set. Dependent upon the variables considered by the judge, a cash bail will be set. In order to be released on cash bail, a person must pay the total amount of the bail, in cash, to secure return to each court appearance on appointed dates. Full cash bonds are an incentive for defendants to appear at trial. However, if the defendant complies with all court dates, the money is returned to them in 60-90 days.

4) The amount of bail bond will be set. This is the alternative to a cash bail. When a bail bond is set, it is a written promise signed by the defendant and surety in order to ensure that a criminal defendant will appear in court at the scheduled time and date, as ordered by the court.

Often when a defendant is able to be released on bail or bond, they must comply with conditions that come with being released. For example, the defendant may not be able to have any contact with the victim, or they may not be allowed to have alcohol or drugs in their system, or possibly they cannot leave the state, depending on the crime. If the suspect happens to violate a condition, a judge might revoke bail and order an arrest warrant on the suspect and have them returned to jail.



Contact Us

Bad Boys Bail Agents are available across the entire state of Utah to help you in your time of need. In certain counties we use local phone numbers. If you're unable to reach one of our local agents at a number listed below, call us toll free and we'll be there to bail you or your loved one out very soon.



Toll Free: 866.306.8227

Fax: 801.569.1181

Email: info@badboysbailbondsutah.com

Mailing Address: P.O. Box 1286,
Salt Lake City, Utah 84110

Agent Name	Counties / Areas Serviced	Contact Number
Katie Keller	Box Elder County / Brigham City	(435) 755-6511
Katie Keller	Cache County / Logan	(435) 755-6511
Liz Ferguson	Carbon County / Price	(435) 637-4824
Julee Rose	Davis County / Bountiful	(801) 475-4488
Robyn Stevenson	Duschene County / Duschene	(435) 789-4446
Liz Ferguson	Emery County / Castle Dale	(435) 637-4824
Amy Erickson	Iron County / Cedar City	(435) 652-5112
Reata Holt	Salt Lake County / Salt Lake City	(801) 569-1131
Sarah Wooden	Salt Lake County / Davis County	(801) 636-4105
Kendall Reeve	Salt Lake County / West Jordan	(801) 566-1108
Larry Nowak	Tooele County / Tooele	(435) 882-4350
Robyn Stevenson	Uintah County / Vernal	(435) 789-4446
John Gallop / Susan Law	Utah County / Provo	(801) 768-4348
Amy Erickson	Washington County / St. George	(435) 652-5112
Richard Rose	Weber County / Ogden	(801) 566-1108

