



Oklahoma State Department of Health
Creating a State of Health

December 22, 2016

HRDS Letter: JID2016-07

To: Sheriffs/Chiefs/Jail Administrators

RE: Jail Standards Clarification and Updates on Practicing Attorneys and Bail Bondmen

This letter is to advise you of information as it relates to requirements to make a list of bail bondsmen available to inmates. After receiving guidance from our Office of General Counsel, the State Department of Health's Jail Inspection Division offers the following clarification and information as it relates to 310:670-5-3(i):

OAC 310:670-5-3(i) Supervision of prisoners

(i) The name and telephone number of the practicing attorneys and bonds persons in the area shall be posted conspicuously near the telephone used by prisoners. This can be a telephone book.

An examination of applicable law indicates requirements greater than those offered in the rule:

Title 59 Section 1320 - Registration Requirement - Certified Copy of Appointment - Limitation on Number of Bonds Written - Fee

A. No bail bondsman shall become a surety on an undertaking unless he has first registered his license in the office of the sheriff and with the court clerk in the county in which the bondsman resides or offices, but not both. In the county in which a bondsman registers his license, he shall provide the court clerk with proof that he is a resident of said county or that he offices in said county. The court clerk of the county shall provide a list of bondsmen permitted to write bail in that county to the judges and law enforcement offices of that county. Law enforcement shall provide the list to any incarcerated individual upon request. The list shall consist of professional, multicounty agent, property, cash and surety bail bondsmen. Any surety bondsman without a current surety appointment shall be removed from the list. In any county not having a licensed bondsman authorized to do business within said county, the court having jurisdiction shall allow and fix bail.

Please obtain a list of bondsmen from your court clerk and ensure the list is provided to any incarcerated individual upon request. The jail standards are under review and we will be making revisions as it relates to the above information. If you have any questions, please contact me at (405) 271-6868; EspaB@health.ok.gov.

Sincerely,

Espanola Bowen, MCJA, M.Ed
Administrative Program Manager
Jail Inspection Division

c. Buddy Combs, Deputy Commissioner, Oklahoma Insurance Department

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