

Working with bail bond recovery agents



Any individual who is locating, apprehending, and surrendering a criminal fugitive defendant must have a bail bond recovery agent license issued by the Department of Licensing.

The only exception is for active law enforcement officers.

To qualify for a bail bond recovery agent license an applicant must meet the following requirements:

- Be 21 years of age.
- Pass a WSP and FBI background check.
- Possess a current Concealed Pistol License
- Attend field operations training course.
- Pass a written examination on civil and criminal law.
- Attend a firearms safety course.
- Be certified in Taser, Baton, and Oleo Capsicum Resin sprays and foams.
- If armed, must carry a current firearm certificate.

Do bail bond recovery agents have “power and authority” over fugitives?



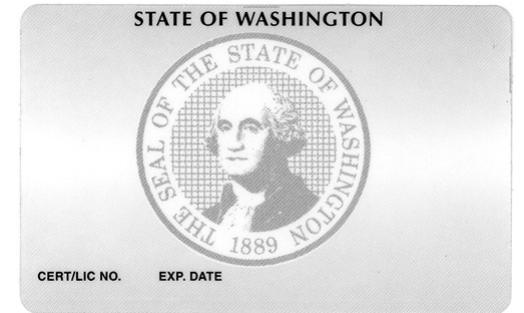
The 1872 U. S. Supreme Court case, Taylor v. Taintor (83 U.S. 366), established that “the sureties” (those who provide bail bonds) do not have to follow due process in seeking a fugitive for whom a bail bond has been posted. They may search and re-arrest criminal fugitive defendants without a warrant. This is still true today in Washington State.

Under Washington State law, bail bond recovery agents must carry a contract from a bail bond agency for the recovery to be legal. A bail bond recovery agent must first notify the local law enforcement agency before they can conduct a planned forced-entry into a dwelling to apprehend a fugitive.

Bail bond recovery agent documents

License

The license is pale green with a blue seal. The back features a Washington State seal in green. This license must be renewed each year so check the date to make sure it's current.



Badge

The approved badge is a round gold star burst with a blue circle and gold letters stating “bail bond recovery agent.” The badge displays a picture of the Liberty Bell and Lady Justice.

Bail bond recovery agents using weapons

Concealed Pistol License (CPL) - Bail bond recovery agents must have a current CPL

Firearm Certification - Proof of firearm training certification issued by the Criminal Justice Training Commission is required for all bail bond recovery agents who carry a firearm while on duty.

Defensive Tool Certification - Training must be completed and certified in the following tools, even if the bail bond recovery agent doesn't carry or utilize the tools:

- ✓ **Firearm Safety**
- ✓ **Taser**
- ✓ **Baton**
- ✓ **Oleo Capsicum Resin Sprays/Foams**

Report suspected violations

Suspected violations of the licensing statutes should be reported to the Bail Bond Program, PO Box 9649, Olympia, WA 98507-9649 or fax (360) 570-7888 or email security@dol.wa.gov. If you have any questions about licensing requirements, please call (360) 664-6624.

What is the history of bail bond recovery agents?

Bail bond agencies post a bond to guarantee that a person will appear for a court date. A friend or relative of the defendant pays a premium for this service, generally 10 percent of the bond amount, as well as providing collateral such as a lien on a home or car for the full value of the bond.



The defendant is considered a criminal fugitive defendant if he or she does not show up for a court date as scheduled. The bail bond agency is obligated to the court to locate and return the fugitive back into custody.

Bail bond recovery agents, sometimes known as “bail enforcement” or “bounty hunters,” locate, apprehend, and surrender a fugitive for whom a bail bond has been posted.

Facts of law

- Any individual, including a bail bond agent, who locates, apprehends, and surrenders a fugitive, must have a license or endorsement as a bail bond recovery agent.
- It is a gross misdemeanor to perform the duties of a bail bond recovery agent without being licensed and contracted with a bail bond agency.
- Bail bond recovery agents must have in their possession a contract from the bail bond agency for each fugitive to be recovered.

- Bail bond recovery agents must operate under both the law and the specific authority given to them in their contract with a bail bond agency.
- Bail bond recovery agents from other states who are not licensed in Washington may operate in this state to recover a fugitive on a bail bond from another state only under the supervision of a bail bond recovery agent licensed in Washington.
- “Planned forced entry” means going into a home or other structure without the permission or knowledge of the occupant in an effort to apprehend a fugitive. This action is planned in advance, and does not include situations such as during a chase or a casual encounter, where the forced entry happens without advance planning.
- A bail bond recovery agent must first notify the local law enforcement agency before conducting a planned forced entry. The notice has to include at least the following information:
 - ✓ the name of the defendant being sought.
 - ✓ the address or approximate address where the entry is anticipated.
 - ✓ the name of the bail bond recovery agent.
 - ✓ the name of the bail bond agency for whom the recovery agent is working.
 - ✓ the alleged offense or conduct that led to a bail bond being issued on the defendant.
- During a planned forced entry, the bail bond recovery agent is required to wear a shirt or vest with the words “BAIL BOND RECOVERY AGENT” written on the front and back in letters at least two inches high. The words must be reflective and in a color that contrasts with the color of the garment.
- It is a gross misdemeanor for a bail bond recovery agent to make a planned forced entry without complying with both the notice and the identification requirements.
- Bail bond recovery agents who enter a dwelling without the occupant’s knowledge or consent must file a forced entry report on a form provided by the Department of Licensing within 10 days.

Public Protection Services
Department of Licensing
PO Box 9649
Olympia, WA 98507-9649
Phone: (360) 664-6624
Fax: (360) 570-7888
Email: security@dol.wa.gov



WASHINGTON STATE DEPARTMENT OF
LICENSING

*We are committed to providing equal access to our services.
If you need accommodation, please call (360) 664-6624
or TTY (360) 664-0116.*

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DEPARTMENT OF LICENSING

Law Enforcement Officers Guide to Bail Bond Recovery Agents



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