

County of Santa Clara

Office of the District Attorney

County Government Center, West Wing
70 West Hedding Street
San Jose, California 95110
(408) 299-7400
www.santaclara-da.org



Jeffrey F. Rosen
District Attorney

June 16, 2014

Personal Delivery



Re: False information regarding ineligibility for OR/SORP

Dear Mr. [REDACTED]

This office has received information that some bail bond companies have made false statements to arrestees or their family members regarding the arrestee's *ineligibility* for own recognizance (OR) release or supervised own recognizance program (SORP) in order to obtain a bail bond fee. As you are aware, eligibility for OR or SORP is based on a number of factors, which a bail bond company simply does not and would not have access to the information. Further, it is believed that some bail bond companies have proceeded to post bail despite being instructed to wait by the arrestees and/or their family members awaiting notification by Pretrial Services. Obtaining money by fraudulent or false representation for the posting of bail is a violation of law and may subject you to prosecution for grand theft or petty theft depending on the amount taken. You may wish to consult with your attorney if you have questions about your specific obligations under the Code of Regulations, Insurance Code and Penal Code sections applicable for your business.

Sincerely,

A handwritten signature in blue ink that reads "Yen B. Dang".

Yen B. Dang
Supervising Deputy District Attorney

cc: Det. Sgt. Andrew Richmond, Department of Insurance
Garry Herceg, Director of Pretrial Services