

Growing number of jailers allow credit cards to pay bail

Your card may get you out of jail, but it won't be free

By Jenny Mangeladorf

A credit card may get you out of jail -- and no, we don't mean by using it to pry a lock.

A growing number of jailers will let you use a credit card to post bail, and in some cases, that charge could even earn you rewards points that you can use for better times, such as a vacation in a more appealing locale.

More jails across the country are offering Internet-based bail payment services, permitting the use of credit, debit and even prepaid cards to post bail bonds. It's no get-out-of-jail-free card: The service is pricey, with multiple layers of fees.

While bail bond agents aren't happy with the legal system offering the public this competing service, those tasked with housing inmates often say they are. The card-to-bail option reduces the drain on public resources.

In 2011, for example, the Westchester County Department of Correction, a large jail in New York state, avoided more than 3,000 days that individuals would have spent in custody by allowing them to use a credit card to post bail, says Deputy Commissioner Justin Pruyne. "With each day in custody averted, the department is able to avoid costs associated with maintaining secure custody and providing other care and services to incarcerated individuals," he says.



Bail moves online

The Westchester Department, which has let detainees post bail with a credit card for at least five years, added in 2011 the ability to use a credit card to post bail over the Internet. A multi-function kiosk allows the inmate -- or a friend or relative -- to charge the bail. Friends and relatives can also pay via computer. These weren't typical options in 2007.

"A lot has changed in five years," says Debby Dengel, vice president and director of marketing for GovPayNet, which processes consumer credit, debit and prepaid debit card payments for government agencies in more than 40 states. "Back then it was rather clunky; today it's Internet based. A lot of people are paying with prepaid cards, too, which was mostly unheard of five years ago."

While market research firms haven't analyzed how much credit card bail payments have grown, sheriffs, detention administrators and the companies who offer the service say it has increased. "The short answer is yes, card use for bail is growing," says GovPayNet's Dengel.

However, as with any evolving service based on emerging technologies, the nation's jails and detention centers do not have a standard approach to credit card use. Neither the facility's size nor age dictates whether it offers a credit card service at all.

Some institutions, such as the Los Angeles County Sheriff's Department, which houses more than 18,000 male inmates alone, still only allow people to post bail with cash or through a bail bondsman. In contrast, Idaho's 325-bed jail in Kootenai county has offered credit card service since 2002, and added an Internet-based option this year. "We wanted to offer the public another opportunity to post bond," says Kootenai's Lt. John Holecsek.



Posting bail made easy with GovSwipe's electronic keypad (left) or freestanding kiosks (right), which allow online payments.

Which cards work

While charging bail can save public resources and shorten a detainee's jail time, not all cards can be used. Of the nation's four card-processing firms, [American Express](#) can be used only to charge a bail bondsman's fee; it can't be used to directly pay bail. [MasterCard](#).

[Discover](#) and [Visa](#) cards can be used to post bail and pay a bail bondsman.

If you post bail for someone online you'll have a choice about where the money goes once the defendant's proceedings are finished. In 2011, the Aurora City Detention center in Colorado began using a freestanding kiosk in the center and an online system. Before posting bail, the payor can opt to have the money, minus fees and penalties, returned to their own account or given to the defendant.

Fees vary

Whether a jail uses a kiosk, online system or more traditional credit card machine, count on this: It will charge a fee. The sum may include court processing fees and fees set by the card processing company. For example, when using the Aurora City Detention Center's kiosk, users are charged a \$50 bond fee set by the municipal court, along with a \$10 processing fee and a commission of 7 percent of the bond, both of which go to the kiosk company.

"If done remotely, that fee is most often 8 percent," says Gregg Hodge, vice president of sales and marketing at Continental Prison Systems.

Bail bond agents' opposition

While the technology used to post a bond for bail has changed over the years, bail bondsmen's opposition to letting people use a credit card to post their own bail hasn't.

"Our association opposes that," says Dennis Sew, a bail bondsman and vice president of the Professional Bail Agents of the United States. "It's buying yourself out of jail. With a professional agent, we get paid a premium and if that person doesn't appear, we will go get them, bring them back and put them in jail. It doesn't cost the taxpayers any money and ensures that justice is served."

While bail bondsmen also take credit cards, they do not directly pass along fees card processors charge. Instead they charge an overall fee -- usually 10 percent of the bond -- for their services. Regardless of whether one chooses to use a bondsman or a credit card to post bail, technology will continue to help speed the process, and rules and fees will continue to change.

To ensure you know what you'll be paying on top of the posted bail amount and whether you'll get your money back if you're posting bail for someone else, look at the fine print. Bondsmen, bail processors and public facilities all say they provide that information before you push the final button to process your card.

See related: [Bail yourself out of jail -- with a credit card](#), [Going to jail? 10 tips for reducing the financial damage](#), [How going to jail impacts your credit](#)