

<b>DATE:</b>	APRIL 22, 2016
<b>NUMBER:</b>	Q.80
<b>SUBJECT:</b>	POSSIBLE WRONG PERSON ON WARRANT
<b>RELATED SECTIONS:</b>	

**PURPOSE**

To ensure an inmate is correctly identified as being the same subject named in the warrant or document on which he/she is in custody. These procedures do not apply to claims that the warrant was issued in error, or to general claims of innocence.

**PROCEDURE**

- I. If, at any time, an inmate claims that he/she is not the person named on a warrant, the person notified will take the following steps:
  - A. Fill out a Possible Wrong Person on Warrant form, found on page three of this procedure, and segregate the inmate from all other inmates until the matter is resolved, or the inmate is released.
  - B. The form will be given to the on-duty detention processing supervisor (DPS)/lead clerk or processing sergeant. The DPS/lead clerk or processing sergeant will immediately contact the watch commander and will notify a Jail Population Management Unit (JPMU) sergeant, or if a sergeant is not available, the JPMU deputy on duty at the facility.
  - C. The JPMU deputy will provide all documentation to the watch commander who will be responsible for determining if the inmate is the person named on the warrant.
    - 1. The JPMU sergeant or on duty JPMU deputy will ensure that an entry is made in the "chronological notes" section of the Jail Information Management System (JIMS). The entry will document the incident and the findings after the investigation is completed.
    - 2. Once the identity of the inmate has been determined, the completed Possible Wrong Person on Warrant form will be filed in the custody record.
    - 3. If the watch commander is unable to determine if the inmate is the subject of the warrant, the inmate will remain in custody. The on-duty DPS/lead clerk will notify the court of jurisdiction and arrange an identity hearing.
    - 4. If the inmate is determined to be the wrong person, the watch commander or his designee (in most cases the processing sergeant) will ensure the inmate remains segregated and is processed and released from custody immediately.

- II. If the Sheriff's Records and Identification Division determines that the wrong subject has been booked on a document that belongs to another individual and has supporting documentation, the Records and Identification Division will notify the appropriate court, District Attorney (DA) or City Attorney (CA) and detention facility as follows:
  - A. If the Sheriff's Records and Identification Division makes the discovery prior to the subject making their initial appearance in court, Records will contact the detention facility, fax all supporting documentation and the subject will be released (on this warrant or document only).
  - B. If the Sheriff's Records and Identification Division discovers at any time after the inmate's initial appearance in court, that the inmate is not the correct person in custody, the Sheriff's Records and Identification Division will notify the detention facility, fax the supporting documentation and notify the court of jurisdiction or DA or CA. The court will schedule an identity hearing. The inmate will not be released from custody until the detention facility receives an order from the court. The inmate should be immediately segregated from all other inmates until the identity hearing is completed.
  - C. If the Sheriff's Records and Identification Division determines the true inmate is in custody on another matter, the Records and Identification Division will notify the detention facility with the name and booking number of the correct subject and fax the supporting documentation. The misidentified inmate's arrest record will be closed and copies of all supporting documentation will be sent to the court or appropriate DA or CA from the Sheriff's Records and Identification Division. The document or warrant will be booked to the correct inmate's record.
- III. As a final measure, a call to the arresting agency (or if possible the agency responsible for originating the document) should be made to determine if there is any additional information to be considered prior to releasing an individual (such as ONS or BOL information).

NOTIFICATION OF POSSIBLE WRONG PERSON ON WARRANT

The following inmate claims that they have been booked on a document that belongs to another individual.

BOOKING INFORMATION

Current Bkg#/JIMS#

Bkg Name: \_\_\_\_\_

System #: \_\_\_\_\_

Arrest Date & Time: \_\_\_\_\_

Arresting Agency: \_\_\_\_\_

Document #: \_\_\_\_\_

Court of Jurisdiction: \_\_\_\_\_

Date/Time JPMU Notified: \_\_\_\_\_

Person Notified: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Deputy/Detentions Processing Technician's Signature \_\_\_\_\_

\_\_\_\_\_ Date and Time

FOR JAIL POPULATION MANAGEMENT USE ONLY

Received By: \_\_\_\_\_

JPMU Deputy

\_\_\_\_\_

Date and Time

Researched By: \_\_\_\_\_

JPMU Deputy

\_\_\_\_\_

Date and Time

DISPOSITION:

PRINTS MATCH WITH PERSON ON WARRANT \_\_\_\_\_

WRONG PERSON ON WARRANT \_\_\_\_\_

INVESTIGATION/DOCUMENTATION MATCH WITH WARRANT PERSON \_\_\_\_\_

UNABLE TO DETERMINE \_\_\_\_\_

Disposition Date/Time: \_\_\_\_\_

Agency & Person Contacted: \_\_\_\_\_

Watch Commander Signature: \_\_\_\_\_