RELEASING INMATES

CLASS OBJECTIVES

- Verify inmate's identity prior to release

- Reviewing bail bonds

- Processing release on own recognizance

- In custody releases

- Time served releases

- Returning inmate's property prior to release

WAYS TO VERIFY IDENTITY

- Match fingerprints

- Run fingerprints

- Match picture with person's appearance

- Request identifying information from the inmate

- Match physical description with appearance

- Match newly obtained signature with original signature
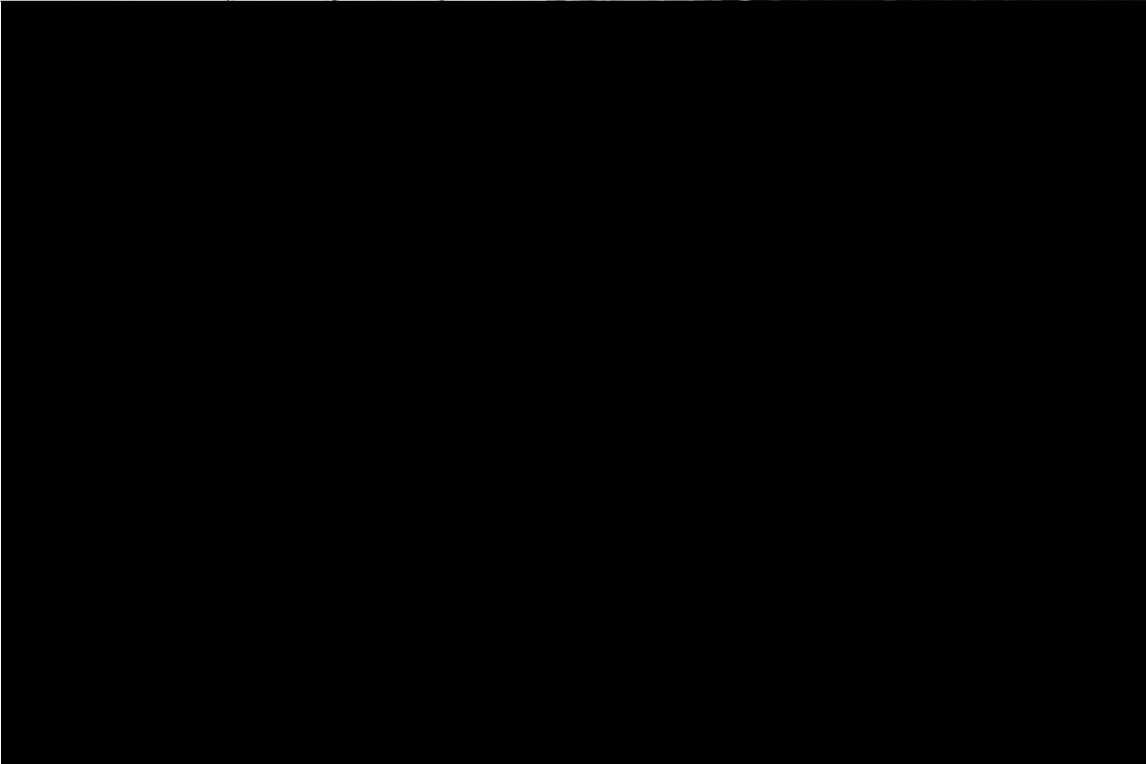
VERIFY IDENTITY cont.

- Methods used more for in-house verification

  - Face cards

  - Wrist bands

  - Floor sheet

  - Floor evacuation list

INFORMATION REQUIRED
DATE-DESTINATION-INITIALS-ARJIS
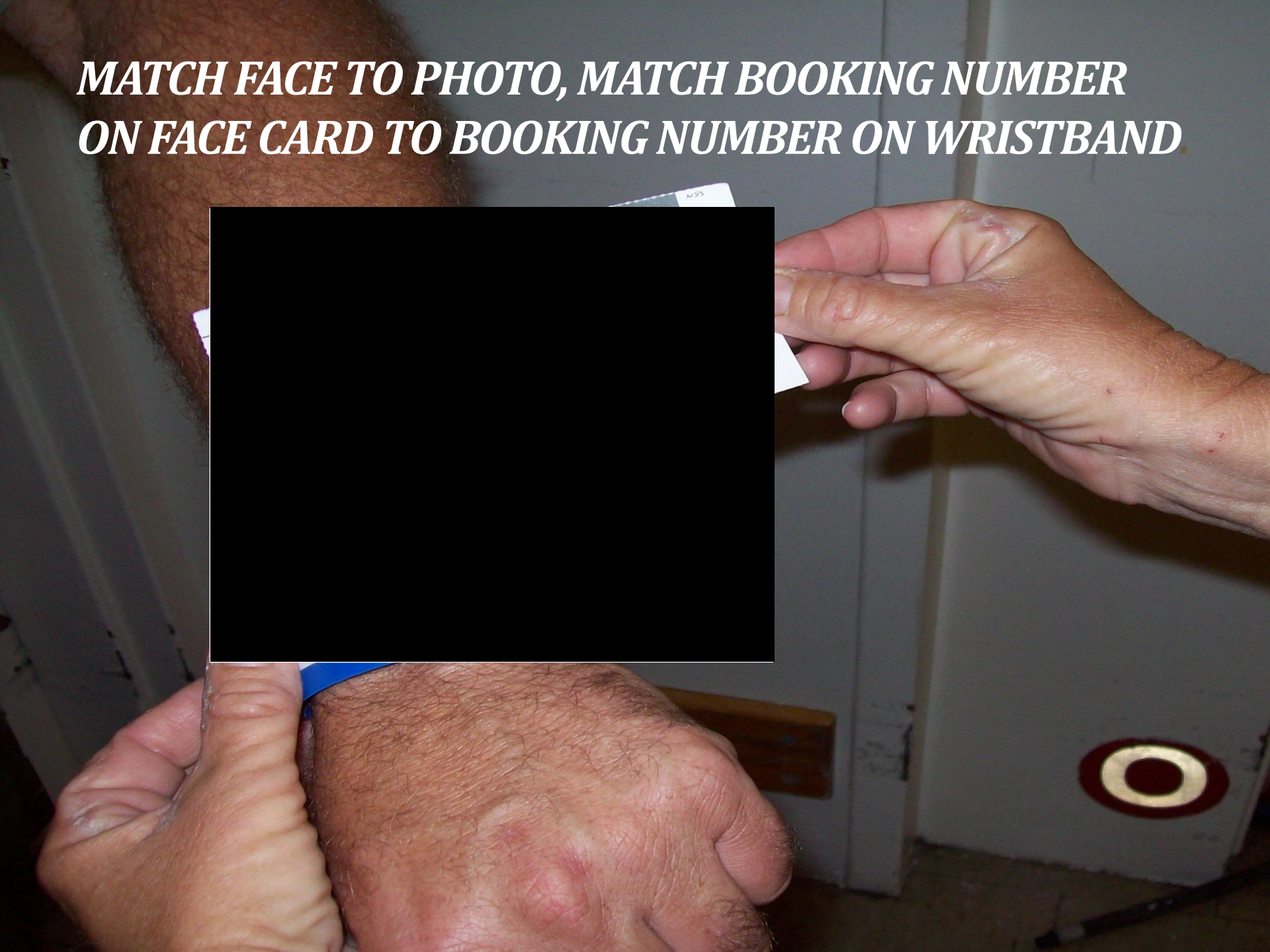

R/U SBDF

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MATCH FACE TO PHOTO, MATCH BOOKING NUMBER
ON FACE CARD TO BOOKING NUMBER ON WRISTBAND

DETENTIONS P&P

- **Q. 79 ARRAIGNMENT AND RELEASE UNDER P.C. 825**

  - All inmates not arraigned within 48 hours of arrest, excluding Saturdays, Sundays, and official court holidays, will be released from custody pursuant to California Penal Code section 825.

  - With the exception of Superior Court Bench Warrants, State Parole Warrants, and Out-of –County Warrants an inmate must be taken before a magistrate within 48 hours from the time of his/her arrest, excluding Saturdays, Sundays and official court holidays. When the 48 hours expires at a time when the court is not in session, the time will be extended to include the duration of the next regular court session

DETENTIONS P&P cont.

- Q. 71 INMATE RELEASES WHEN COMPUTER IS INOPERATIVE

  - DPS or designee will contact the Help Desk to determine the length of time

  - If outage exceeds four hours, DPT will;
    - Pull all documents from the custody record and make sure there are no additional pending cases.
    - B. Check the custody record for any pending warrants or holds.
    - C. Look at the Booking Intake/Personal Property Inventory (form J-15) to see if the arresting officer has written any information that is not already within the custody record.

  - DTP will submit records to Watch Commander for review to determine if release process will commence.

ERRONEOUS RELEASE

- DPS will notify Watch Commander ASAP who will notify FTF and DIS
  - They will provide two copies of supporting documents
  - Two copies of inmate custody record
  - DPS will notify court should the inmate have future court dates

- Erroneous release crime report will be written

- Jail investigator will attempt to contact released inmate

- Warrant will be issued

- Upon re-arrest, inmate will be booked on same charges as the erroneously released booking

- Possible consequence for releasing the wrong person

"ERRONEOUS RELEASE"

- Can you be legally liable?

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Final Release

Fac: 001 SDCJ (San Diego Central   Sort By: Book Number

Fac	Book #	Release Status	Navigator	Last Name	First Name	MI	Notes
1		Final Release	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				
1		Final Release	FINAL RELEASE				
1		Final Release	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				
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1		Wants & Warrants	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				
1		Final Release	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				
1		Wants & Warrants	FINAL RELEASE				

Print   Delete   OK

Premier IMS

File   Edit   IMS   Configuration   Other   Tools   Window   Help

Pictures for JIM

Classification Code: 4

Hazards & Instructions: MEDICAL TRANSFER RESTRICTIONS

High Risk Indicators: RAZOR RESTRICTION

Special Conditions:

Medical Instructions: NO FACILITY 8

Admin Alert:

PICTURE for

Enemy List

Last Name	First Name	Book#	FAC	Area

Active Gang List

Last Name	First Name	Book #	FAC	Area	Gang

TYPES OF RELEASES

- Removal order – court order through immigration court

- Commitment – released from prison

- Time served

- Bail

- Special circumstances

- Acquittal – release from court per 1165 PC

1165 PC

- 1165. **Where a general verdict is rendered or a finding by the court is made in favor of the defendant**, except on a plea of not guilty by reason of insanity, a judgment of acquittal must be forthwith given. If such judgment is given, or a judgment imposing a fine only, without imprisonment for nonpayment is given, and the defendant is not detained for any other legal cause, **he must be discharged, if in custody, as soon as the judgment is given**, except that where the acquittal is because of a variance between the pleading and the proof which may be obviated by a new accusatory pleading, the court may order his detention, to the end that a new accusatory pleading may be preferred, in the same manner and with like effect as provided in Section 1117.

TIME SERVED RELEASES

- _____ an order from the court

- REQUIRES NOT FURTHER CONTACT WITH THE COURT SYSTEM IF...

  - Fines are paid
  - Suspended sentence

CREDITS USED IN COMPUTING TIME SERVED?

- Program time

- Good time

- Work time

- Early release time

- Credit for time served

- School time

MANDATED BY THE COURT/JUDGE

i.e. 2 X 1 or 3 X 1

PROCESSING ROR

"RELEASE ON OWN RECOGNIZANCE"

- Must clear wants and warrants
  - Fingerprint during booking
  - Automated fingerprint identification system
  - Hit/ no hits?

- Determine eligibility
  - charges

PROCESSING ROR cont.

- Individual must know court appearance requirements;

  - _____

- Individual must sign acknowledging information

  - _____

- Potential to miss court date and warrant will be issued

  - _____

BAIL

- Confirm eligibility
  - 187, 664, 209, hold (INS, PROB etc.) NOT ELIGIBLE

- Inform inmate of bail amount using the J-15 (handout)

- All information must be accurate for bail to be set (handout)

BAIL

- Purpose of posting bail?

  - _____

  IND

- Different types of bail? (form)
  - Cash Bail
  - Professional Bai
  - Self Bail
  - Bail on Appeal

CONFIRMING BAIL BOND

- Signed by notary/ agent

- Amount equal to bail set

- Correct court date and jurisdiction

- No holds on insurance company

- Offense/ charge stated

- Name booked under must match name on bond

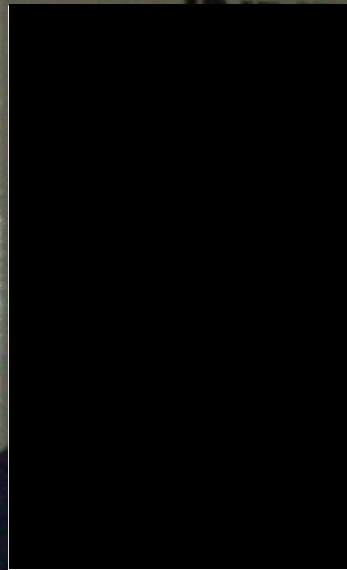- Warrant and case number or booking number

HANDLING INMATE PROPERTY

- Sealed property bags
  - Inmate must sign acknowledging receipt

- Unclaimed property is retained by our agency for ____ days.

- Transfer to other agency

FACILITY TRANSFER

- Module and Personal property (training bulletin)
  - Log # of bags being transferred in JIMS inmate history

- Sealed medical records

- Face cards

- Booking jacket

ENSURE INMATE IS NOT WEARING
ANY JAIL CLOTHING UPON RELEASE

* INVENTORY ITEMS WITH INMATE

* ENSURE INMATE UNDERSTANDS IMPLICATIONS OF SIGNING FOR PROPERTY RECEIVED

QUESTIONS...

- Do we ever simply ask an inmate who he or she is?

- Is departmental liability eliminated once an inmate signs for their property?

- What if the inmates name is misspelled on the bail bond, is the bond valid?

- Can inmates be released from custody from other than a detention facility?