

DATE:	MAY 2, 2022
NUMBER:	F.3
SUBJECT:	COMMITMENTS AND COURT ORDERS
RELATED SECTIONS:	<a href="#">P.15</a> , <a href="#">Q.49</a>

## PURPOSE

To establish guidelines for the processing of court orders received for “in custody” individuals.

## POLICY

Every effort will be made to comply with valid court orders.

## PROCEDURE

### I. COURT ORDER ACCEPTANCE

- A. If there is a question as to the authenticity of a court order, the court clerk should be contacted to verify the order. Legal Affairs should be contacted in the event a court clerk cannot be reached.
- B. Any court order received at a detention facility, whether via transportation, messenger mail, or hand delivery, will be inspected for authenticity and validity prior to processing. Any questions or discrepancies should be directed to the clerk of the court issuing the order. Court orders will not be accepted if incomplete or invalid.
- C. Court orders will be accepted from anyone 18 years of age, or older. A family or friend of an incarcerated person must present a valid driver's license or other valid picture identification. A bail bond agent must present a valid bail bond identification card with a driver's license or other picture identification. An attorney must present a valid bar card with a driver's license or other picture identification. The court order will be inspected for authenticity and validity prior to processing. Any questions or discrepancies should be directed to the clerk of the court issuing the order.
- D. Court orders (other than “to-report commitments”) will not be accepted regarding individuals who are not physically in custody at the time the order is received. Such orders will be returned to the issuing judge with a written explanation as to why the order was not accepted.

### II. COURT ORDER PROCESSING

- A. All court orders that are accepted shall be time-stamped upon receipt and have the incarcerated person's booking number written on the face of the document. The court order shall be processed in the following manner:
  - 1. Court orders authorizing jail entry of an outside party (e.g., court appointed psychiatric investigators) will be reproduced and copies distributed as follows:
    - a. The original document will be filed in the individual's custody record.

- b. A copy will be provided to the watch commander.
    - c. A copy will be filed in the alphabetical file, by individual's name, in the custody information office.
    - d. If the court order pertains to a medical or psychiatric evaluation, a copy will be forwarded to health staff.
  2. Court orders ordering the release or transport of an incarcerated person for other than custody related purposes (e.g., family funeral services) will be immediately directed to the watch commander for review and approval. The document shall be distributed as follows:
    - a. The original document will be placed in the individual's custody record.
    - b. A copy will be provided to the watch commander.
    - c. A copy will be forwarded to the health staff if the court order pertains to a medical or mental health issue.
  3. Court orders for release or transport of an incarcerated person for medical reasons (i.e., dental/medical/psychiatric) will be immediately directed to the watch commander for verification and acceptance. The watch commander and health staff shall make any and all efforts to ensure the following:
    - a. Confirm the necessity for the transport or release if the same could not be accomplished by having the outside party or parties come to the facility.
    - b. Confirm the exact date, time and location, as well as the expected duration, of the appointment.
    - c. Confirm all other aspects of the court order (transportation method, criminal record and driver's license validity of the person named to transport if other than Sheriff's personnel).
  4. Any court order not received with sufficient time to allow confirmation, which appears unreasonable, or places the security of the incarcerated person(s) facility or staff in jeopardy, is subject to amendment or denial by the facility commander. Efforts should be made to inform the issuing judge, and/or initiating attorney, of the changes or denial prior to the effective time of the original order. The facility commander shall contact Legal Affairs when presented with such an order.
- B. Computer records will be updated to reflect the court order.
  1. Update the computerized custody record to reflect future court dates and times, sentencing information and other pertinent court ordered information.
  2. Release orders will be processed as soon as possible.