

DATE:	MAY 23, 2022
NUMBER:	Q.5
SUBJECT:	LEGAL NAME/A.K.A./AND OR GENDER CHANGE
RELATED SECTIONS:	Q.6

PURPOSE

To establish a guideline for processing legal name changes, gender and "AKA" (also known as) bookings.

POLICY

When a petition to legally change name(s) and/or gender is submitted to the Sheriff's Department for processing, the new name and/or gender shall be entered into the Jail Information Management System (JIMS). If it is discovered an incarcerated person is booked under an "AKA" and a true name is later determined, the true name shall be entered into JIMS.

PROCEDURE

I. LEGAL NAME/GENDER CHANGE

- A. Under California Code of Civil Procedure Section 1279.5 an incarcerated person has the right to petition the court to obtain a name and/or gender change. Form NC-100: Petition for Change of Name (only), Form NC-200: Petition for Change of Name, Recognition of Change of Gender and Issuance of New Birth Certificate or Form NC-300: Petition for Recognition of Change of Gender and for Issuance of New Birth Certificate, with additional supporting forms as required by the court, are obtained by the incarcerated person or their attorney through the courts.
- B. The incarcerated person shall provide a copy of the petition for name and/or gender change to the Department at the time the petition is filed by attaching the petition to an incarcerated person request form. Staff shall forward the copy of the petition along with the incarcerated person request to the Incarcerated person Detentions Processing Division (DPD). After the court proceeding has concluded, DPD staff will need to confirm the filing of the petition(s) by requesting a copy of the decree (NC-230 or NC-330) from the Superior Court Civil division. Once a copy of the decree has been received from the court, the new name and/or gender of the incarcerated person shall be updated in JIMS, and the prior name shall be listed as an AKA.
- C. The Sheriff's Records Division will be notified after updates have been completed in JIMS.
- D. The watch commander and/or the processing sergeant will be notified of the incarcerated person's name change. A new wrist band will be generated to reflect the new name. The booking number will remain the same.

II. TRUE NAME FOUND

- A. When an incarcerated person is received, they are to be booked under the name that appears on the Booking Intake/Personal Property Inventory (J-15 form) except the name "John Doe or Jane Doe." If it is later discovered the incarcerated person is booked under an AKA and their true name is known, the true name shall be entered in the AKA tab of the JIMS demographic detail screen. The true physical description and DOB should also be entered.

- B. The Detentions Processing Technician (DPT) updating JIMS with the true name will ensure warrant checks are run under the true name and AKA's. The DPT must notify the Sheriff's Records Division of the true name; unless it was the Records Division who notified DPD of the true name. If an additional date of birth is discovered, it will be added in the additional numbers tab.