

<b>DATE:</b>	MAY 23, 2022
<b>NUMBER:</b>	Q.13
<b>SUBJECT:</b>	OUT-OF-COUNTY ARRESTS
<b>RELATED SECTIONS:</b>	<a href="#">Q.1</a> , <a href="#">Q.24</a>

**PURPOSE**

To ensure all legal and departmental requirements are complied with when processing the various arrests made for agencies located outside the County of San Diego, but within the State of California.

**POLICY**

Before beginning the intake/pre-booking process of an Out of County arrest, a local (San Diego County) warrant check will be conducted to determine whether any local warrants are outstanding. If local warrants are found, the incarcerated person shall be booked on the local warrant(s), with the Out of County arrest placed as a “hold.”

**PROCEDURE**

**I. OUT OF COUNTY CALIFORNIA AGENCY ARRESTS**

The following procedures are for persons arrested for another law enforcement agency outside San Diego County, but within the State of California. Detention facilities must obtain very specific information to ensure a legal detention and eventual release.

**A. No Warrant**

Occasionally, a San Diego County agency, in cooperation with another agency, will arrest an individual on criminal charges that are based in another county, (i.e., SDPD arrests a person wanted for 187 P.C. by LAPD). The person will be brought to custody to await pickup by the other agency. These arrangements usually have already been made between the two agencies, however, it is vital for detention personnel to also be advised of the arrangement. The other agency must pick up the incarcerated person, return them to the other county, and have the arraignment within 48 hours per 825 P.C.

**1. Intake**

a. Obtain from the arresting/transporting officer the charge, the name of the agency having jurisdiction and the case number (when available). Also obtain a person's name and phone number to contact the outside agency. All information is to be noted on the Booking Intake/Personal Property Inventory (J-15) form by the arresting agency.

b. Notify the watch commander and detention processing supervisor (DPS).

2. Booking

Book on the California charges indicated on the J-15 form. The outside agency's name and case number should be entered in the notes section. Prepare an administrative electronic message (teletype) notifying the other agency of the incarcerated person's custody status, and indicate they must pick up the incarcerated person within 48 hours per 825 P.C. (The words "per 825 P.C." will be included in the teletype message.) Follow up with a phone call to ensure the message was received. Court destination will be the appropriate local court having jurisdiction of the location of the arrest, or the appropriate local court specified by the arresting officer in the event the outside agency cannot pick up as required.

3. Watch Commander/Detentions Processing Supervisor

- a. Ensure the outside agency is aware the incarcerated person is in custody and knows the final pick-up date.
- b. Make appropriate arrangements to have the incarcerated person available and ready for transportation.
- c. Follow through to ensure the incarcerated person is either picked up or released per 825 P.C.

B. Warrant Arrests (821-822 P.C.)

When a valid California warrant exists for a person, the warrant abstract must accompany the individual to custody. It is the arresting officer/agency's responsibility to verify the warrant and to make arrangements for the warrant abstract to be forwarded by the outside agency holding the warrant. A person wanted on a California warrant shall not be accepted without the warrant abstract.

1. Intake

Verify the warrant abstract contains the seven items for validity (i.e. charges, bail, court of jurisdiction, issuing judge, issued date, defendant's name, and document number). Also verify the agency's name that holds the warrant (pick up agency).

2. Booking

- a. Book the subject following procedures outlined in the Detentions Processing Division Detention Processing Technician Manual. The court of jurisdiction and agency holding the warrant must be entered in the notes section.
- b. Prepare a teletype message notifying the outside agency of the custody status, and maximum (last) date for pick up, which is either:

- i. Under 400 miles away; five calendar days including the date of booking; or
    - ii. Over 400 miles away; five court days (Exclude Saturday, Sunday and holidays) including the date of booking (Reference 821 P.C.).
  - c. Send the teletype message and follow up with a phone call to the other agency to confirm the message was received. Note the confirmation information and ARJIS on the teletype message. File the teletype message with the warrant in the custody record.
3. Detention Processing Supervisor
  - a. Ensure the Notify List for incarcerated persons booked on an out-of-county warrant is checked daily.
  - b. Initiate additional contact with the outside agencies that have not responded to custody teletypes or have not made arrangements for pick-up.
  - c. If an incarcerated person is still in custody by the maximum date, initiate release procedures, per 821 P.C. and notify the outside agency.

C. Auto Theft/Stolen Vehicle Charge:

When a person is arrested in a stolen vehicle within the county of San Diego and the vehicle has been stolen outside of the county, confirmation must be made by the arresting agency, with the agency holding the case, to determine whether or not they want the vehicle and the incarcerated person, or just the vehicle. If the outside agency wants both, the procedures described above in section A will be followed.

If the outside agency wants the vehicle only, the incarcerated person will be scheduled for court on the charge of 10851 CVC, Auto Theft, in the appropriate local jurisdiction (i.e., El Cajon, South Bay, Vista, or San Diego Superior Court) and the following procedures will be taken:

1. Intake

A J-15 form and probable cause declaration for 10851 CVC, which indicates the name of an outside agency, and its case number, must be completed and delivered with the arrested person to the Sheriff's detention facility. Confirm with the arresting officer/agency the incarcerated person's "wanted" status to verify he/she will not be transported to the outside agency.

2. Booking

Book as appropriate based on information provided by the arresting officer.

#### D. Miscellaneous Outside Agency Arrests

1. Local field arrest charges and/or local warrant(s) received with out-of-county warrants.
  - a. Book on local charges and place the out-of-county warrant(s) as a HOLD.
  - b. Notify the outside agency via teletype their warrant has been placed as a HOLD.
2. If the incarcerated person is first booked on the out-of-county warrant with a teletype sent regarding pick up, and a local warrant is discovered, the following procedures will be taken:
  - a. A telephone call will be made to the out-of-county agency of jurisdiction to determine if officers are en route to pick up the incarcerated person. Also, the case is to be brought to the attention of the watch commander and the DPS.
  - b. If the out-of-county officials have been dispatched, the local warrant(s) will remain active and a copy of the "hit" will be given to the transporting officials so they are aware of the warrant and the incarcerated person will be returned to San Diego County upon completion of the out-of-county case.
  - c. If the out-of-county officials have not been dispatched, inform the agency of the current situation, and verbally cancel the pickup with the understanding that official confirmation of the cancellation will follow via teletype.
3. Immediately book the local warrant(s) and schedule for the appropriate San Diego County Court.
4. Close out the out-of-county arrest and rebook as a hold arrest until the local case has been resolved.
5. Rescind the original teletype message with an additional message to the agency having jurisdiction informing them that the incarcerated person was booked on a local matter, and they will be notified when the incarcerated person will be available to be picked up. Follow up with a phone call to the other agency that the message was received. Note the confirmation information and ARJIS on the teletype message.

When the local case has been resolved, complete an additional arrest for the out-of-county warrant and send a teletype to the outside agency indicating that the incarcerated person is ready for pick up.