

San Diego County Sheriff's Department Detention Services Bureau – Manual of Policies and Procedures

DATE:	MAY 23, 2022
NUMBER	Q.79
SUBJECT:	ERRONEOUS RELEASE
RELATED SECTIONS:	

PURPOSE

To establish an effective and uniform procedure in the event of an erroneous release from custody.

POLICY

Upon discovery of an erroneous release, staff will immediately begin appropriate notification and search procedures.

PROCEDURE

- I. Upon discovery, the detentions processing supervisor (DPS) or designated lead detentions processing technician (DPT) will notify the watch commander. The watch commander or designee will immediately notify the Detention Investigations Unit (DIU) at [Phone number - 7922.000], Division of Inspectional Services (DIS) at [Phone number - 7922.000] and the Fugitive Task Force Sergeant [Phone number - 7922.000] of the erroneous release. If the erroneous release occurs or is discovered after normal business hours, the watch commander or designee will contact the DIU Sergeant (all call-outs go through the sergeant). The DPS will provide the watch commander with the name, address, telephone number and any other pertinent information regarding the incarcerated person. The DPS/lead DPT and the watch commander will make the appropriate notifications via their respective chain of command.
- II. The DPS/lead DPT will provide the watch commander with:
 - A. Two copies of the supporting documentation.
 - B. Two copies of the incarcerated person's custody record.
 - C. The DPS will notify the court should the incarcerated person have future court appearances. In the event a lead DPT is on duty, the oncoming DPS will contact the court.
- III. The watch commander will assign a deputy to write an "erroneous release" crime report. DIU shall commence efforts to contact the released incarcerated person and return him/her to custody. DIU will, as soon as possible, make an entry into the Officer Notification System (ONS). The DPS will discuss the situation with DIU to determine who will contact the Court of Record and request a warrant be issued.

Upon return to custody, the incarcerated person will be booked on the same charges, bail, etc., as the erroneously released booking.
- IV. In all cases of erroneous release, the on duty DPS will complete an "Incident Notification." Upon completion, the "Incident Notification" will be forwarded, via the chain of command, to the Detentions Processing Division manager for review.