

<b>DATE:</b>	MAY 23, 2022
<b>NUMBER:</b>	Q.82
<b>SUBJECT:</b>	POSSIBLE OVER-DETENTION
<b>RELATED SECTIONS:</b>	

PURPOSE

To provide detentions personnel with a procedure for responding to incarcerated person claims that he/she has been over detained on an arrest or booking.

POLICY

Detentions personnel will investigate all incarcerated person allegations of over-detention as outlined within this section.

PROCEDURE

- I. At any time, if an incarcerated person claims that he/she has been over-detained and should no longer be in custody, detentions personnel will complete the following steps.
  - A. The responding deputy will complete the Notification of Possible Over-Detention form (J-300) and separate the incarcerated person from other incarcerated persons until the matter has been resolved or the incarcerated person is released.
  - B. Once the J-300 form has been completed, the deputy will submit the form to the processing sergeant.
  - C. The processing sergeant will immediately contact the detentions processing supervisor (DPS) and inform them of the situation. If a DPS is not on duty at that particular facility, a DPS should be notified at the San Diego Central Jail and the J-300 form will be faxed to that location.
  - D. Upon receipt of the J-300 form, the DPS will ensure the custody record is reviewed and determine if the incarcerated person has been over detained.
  - E. Once the custody status of the incarcerated person has been determined, the completed J-300 form will be filed in the incarcerated person's custody record.
  - F. If the incarcerated person is determined to have been over detained, the watch commander or their designee will ensure the incarcerated person remains separated and is processed and released from custody immediately.
  - G. The watch commander will then make an entry in the watch commander's log. The entry will briefly relate the circumstances of the incident and indicate which personnel were notified as well as the findings of the investigation.

- H. In all cases where an over-detention has occurred, the on duty DPS will complete an Incident Notification. The completed notification will be forwarded, via the chain of command, to the DPD Manager for review.