



Fugitive

PC 1551.1 FUGITIVE ARRESTS

The California Penal Code section PC 1551.1 is used for the arrest and detention of individuals wanted on charges originating outside the state of California.

Regardless of the charge/offense (misdemeanor or felony) indicated, PC 1551.1 is a bookable felony. The arrest will be accepted with a warrant, Governor's warrant, or NCIC hit and will be booked with no bail.

NCIC HIT CONFIRMATION

A copy of the NCIC "Hit" is sufficient, but it is required the warrant be confirmed as active and extraditable with the original agency holding the warrant, before bringing the person to the jail.

The following information is required and must be noted on the "Hit" along with the date, time, and name of the person confirming the information:

- a. The name and phone number of the outside agency.
- b. The name of the person in the other state who confirmed the warrant.
- c. The charge description(s) in plain language.

Sheriff's Fugitive Extraditions Unit will obtain a copy of the want/warrant abstract at a later time. This warrant will be sent to the housing facility and the information verified and updated in JIMS.

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Message #: 12345678
From: SYSTEM @ CLETS 06.23.20 09:30:05
To: SH5139 @ 1234567891
* * * FOR USER 1234 * * *
IPDTU.4EVR
1L01
CA0370024

***MESSAGE KEY QWA SEARCHES ALL NCIC PERSONS FILES WITHOUT LIMITATIONS.
MKE/WANTED PERSON
1 - FULL EXTRADITION UNLESS OTHERWISE NOTED IN THE MIS FIELD
ORI/KH1234567 NAME/CARRANZA, VIVIANA SEX/F RAX/H POB/CA DOB/WYLTK
HGT/504 WGT/??? EYE/BRO HAIR/BRO FBI/123465BAD
FPC/12PO11POCIP11013PIPM MNU/OA-01490026 SOC/123456789
OLN/260118803 OLS/KH OLY/2020
OFF/LARCENY
DOW/20200601 OCA/0704018089
WNO/1MBAD
VLD/20200601
MIS/AFTER HOURS USE KH1234567, OR CALL 619-258-3009,CASH BAIL $21,000,TKPHT BENCH
MIS/WA,ALSO BW08F24734X,WA09PH1296X,WA09P0304SX
DNA/N
ORI IS HERNANDEZ CO DISTRICT ATTORNEY SD CA CRIM DIV 619 258-3009
AKA/SOS CARRANZA
MNU/PI-CA12345678
MNU/LP-M1234567
LIC/#47VTZ CA 2020 PC
NIC/W605679067 DTE/20200623 EST DLU/20200623 1443 EST
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

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*Confirmed Extradition 06/23/20
W. Parker 5766*

Note: If a Want/Warrant is found after booking, the Detentions Processing Technician must place the fugitive arrest as a HOLD and fax the document(s) to the fugitive detail for follow-up.

PREBOOKING/BOOKING CRITERIA

Before an incarcerated individual is booked on an out of state arrest, a local want/warrant check must be completed. If local, out of county, or state warrants are found and meet the current Sheriff's booking acceptance criteria, the incarcerated individual is booked on the warrant(s) and the fugitive arrest is placed as a hold (HFUG). If no local or out of county warrants are found, the incarcerated is booked per PC1551.1.

Whether the fugitive arrest is booked or placed as a hold, the warrant or NCIC "Hit", and J-15 must be faxed to Sheriff's Fugitive Extraditions for follow up.

1. The type of arrest will be Booked-Fugitive (BFUG).
2. Bail for interstate wanted individuals booked into Sheriff's custody will be held with NO BAIL until they are seen by a judge.
 - In the notes section, place the following information: issuing state, charges, and the document number provided on the warrant.

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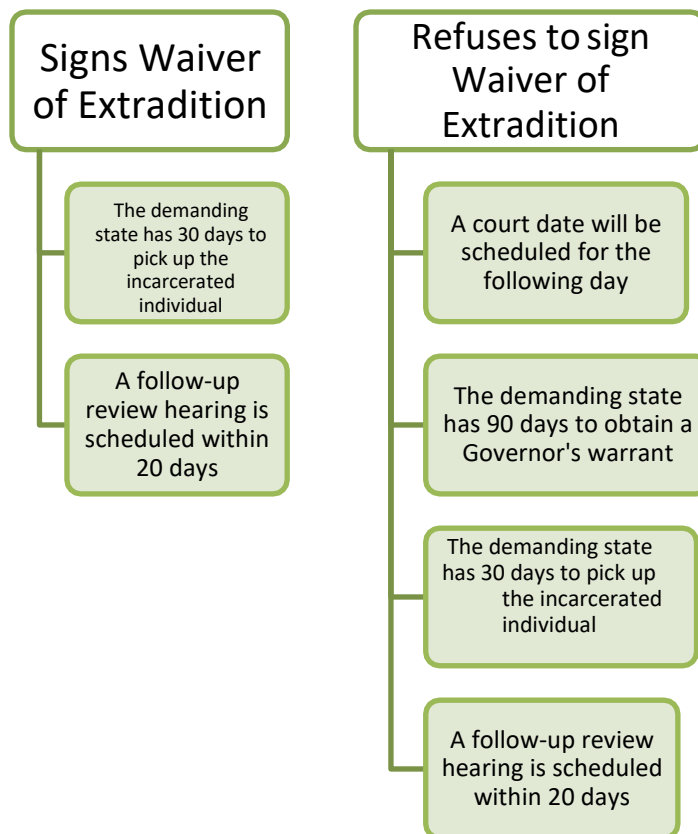


3. The Fugitive/Extradition Unit arranges for the incarcerated individual's arraignment in the Felony Arraignment Department (SD011) of the San Diego Superior Court. Once a court date is determined the Detentions Processing Division will be notified of the pending court date. When entering the court date, the reason on calendar is FUG.
4. FAX all arrest information to the fugitive detail. The fax confirmation will be filed in the custody record.

Note: If booking multiple fugitive warrants, the warrant with the most serious charge (versus closest location) will be booked first and the remaining warrants will be placed as holds.

EXTRADITION

Per PC 825 guidelines, incarcerated individuals booked on 1551.1 must appear before a magistrate to sign a "Waiver of Extradition". As previously stated, the Fugitive Extradition Unit will contact detentions processing staff to schedule the court hearing. The following chart outlines the procedures when extraditing an incarcerated individual:




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PC 1551.1 PLACED AS HOLD

When the incarcerated individual has local or out of county charges/warrants, the fugitive case is booked as Hold-Fugitive (HFUG). In the notes section, enter the following information: the issuing state, charges, warrant document number, and no bail

1. Copies of the information on the fugitive arrest NCIC Hit, with notations, teletypes, and warrants, etc., are faxed to the Fugitive Extraditions Unit.
2. Fugitive extraditions proceed with filing a formal detainer. A copy of the detainer along with original warrant document(s) are provided to the jail and are to be filed in the incarcerated individual's custody record.
3. Once the incarcerated individual's local matters have been adjudicated, the fugitive case will be re- booked as Booked-FUG.
4. The detainer will be sent back to Fugitive Extraditions with the appropriate box checked via fax to 619-531-3743.



COUNTY OF SAN DIEGO
INTER-DEPARTMENTAL CORRESPONDENCE

DETAINER

Date: XXXX

INMATE NAME: Last Name, First Name / Booking # XXXXXXXX

DET. PROC. TECH: WHENEVER THE INMATE'S STATUS CHANGES, MARK THE APPROPRIATE BOX ON THIS FORM AND **FAX IT** TO THE FUGITIVE/EXTRADITIONS UNIT at (619) 531-3743.

Inmate has been rebooked as a Fugitive per this detainer case.

Inmate has been released to the custody of another California Law Enforcement agency at
_____.

Inmate has been transferred to State Prison
_____.

Inmate was released, per Teletype; demanding agency will not extradite.

Inmate was released (Other info)
_____.

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WAIVER OF DEFENDANT'S PRESENCE BEFORE MAGISTRATE AND WAIVER OF EXTRADITION

Pursuant to Penal Code 1551.1 and 1555.1, a wanted individual can waive their right to be brought before a magistrate and voluntarily agree to be extradited to the demanding state. If this occurs, a Non- Judicial Waiver is signed by the defendant, consenting to remain in Sheriff's custody with no bail until the demanding state assumes custody of them.

A 'Waiver of Defendant's Presence Before Magistrate and Waiver of Extradition' is generated by the Central Division court and forwarded to Custody Processing staff.

The Jail Information Management System (JIMS) record will be updated and a copy filed in the custody record.

- Change the bail flag to 'No Bail'
- Enter 'Waiver Signed', along with the date in maintenance notes.

As per normal procedures the Fugitive Extraditions Unit will confer with the demanding state for transportation and pickup arrangements, a scheduled event notification will be added in the JIMS.

Star	Beetlejuice	Fac: 1	Area:	HU:	Cell:	Bed:			
Arrest #:		1		Type of Arrest: BOOKED-FUGITIVE WARR					
Arrest Agency:		San Diego Sheriff Office		Officer: DAWN		ID: 5207			
Document #:		SCD555666		Event #:					
TOX Required?		<input type="checkbox"/>		Hold Agency: <input type="checkbox"/>					
Notes: Waiver Signed 10/22/2020 State of Vermont 459 PC Burglary/home invasion, 646.9 PC Stalking, 602 PC Trespassing Warr# 08WP0908J									
Bail Info									
Code Section	Description	CL	DV	Bail	Bail Amt	Type	Bond Co	Bail #	Paid
1551.1 PC	FUGITIVE AREST W/O V	F		N	.00				

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ORDER OF BOOKING AND PROCEDURE FOR TRANSFERRING OF INCARCERATED INDIVIDUAL

The state of California agrees to the following:

1. An incarcerated individual is not extradited to another state until all California cases are adjudicated.
2. Sheriff's Fugitive Extraditions provides the detention facility with a warrant status cover sheet. This form acts as the formal detainer.
3. If the incarcerated individual is transferred to another California agency, a copy of the warrant is provided to the receiving agency.
4. The original detainer is filled out with the name of the receiving agency and sent back to the Fugitive Extraditions Unit. A copy is placed in the custody record. The Fugitive Extraditions Unit is responsible for notifying the out of state agency of the incarcerated individual's transfer.
5. Prior to the release of any wanted individual, the Fugitive Extraditions Unit is notified.

Contact person(s):

Detective Daniel Cruz	
Desk	(619) 531-3762
Cell	(619) 838-7845
Fax	(619) 531-3743

BAIL-OUT PROCEDURES

1. If the incarcerated individual **has been** arraigned and bail has been set by a judge (indicated by Reason on Calendar "FP"), the court, date, time, and case number on the court document are used.
2. A copy of the Bail Receipt is to be faxed immediately to the Fugitive/Extradition Unit

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ORDER TO RELEASE ON OWN RECOGNIZANCE FROM ISSUING STATE

1. When the issuing state submits an order to release the incarcerated individual on their own recognizance, Fugitive Extraditions Unit must be notified.
2. Fugitive Extraditions will provide the jail with a Notice of No Complaint, Add, Drop or Change Charge form (SO-24), indicating the demanding state has released their case.
3. The on duty DPS must review and approve all fugitive drop holds. This will ensure there is no miscommunication between the state and Fugitive Extraditions Unit.

If the Fugitive Extraditions Unit cannot be reached either at the office or through the Sheriff's communication center and the issuing agency is insisting the incarcerated individual be released, refer to the Watch Commander who will contact the on-duty judge.

If the on-duty judge releases the incarcerated individuals on their own recognizance, the court date of appearance is the San Diego Superior Court, SDF on the next court day.

From: SYSTEM @ CLETS 03.18.20 17:00:07
 To : BNC0 @ BWC0
 LLTS.BWC0.AM.NV018045G
 17:00 03/18/2020 00000
 17:00 03/18/2020 00007 CA0370083
 *NV494F768B
 TXT
 NEVADA DIVISION OF PAROLE AND PROBATION
 SAN DIEGO COUNTY SHERIFF'S OFFICE

ATTN: WARRANTS/RECORDS

RE: **The Bear, Smokey** DOB/ 11/20/1986 SOC/ 569-91-2342 WARRANT #436
 22

PLEASE RELEASE THE DETAINER THAT THE STATE OF NEVADA, DIVISION OF PAROLE AND PROBATION HAS ON THIS SUBJECT. WE NO LONGER HAVE AN INTEREST IN RETURNING HIM TO NEVADA.

IF THE SUBJECT WAS REVOKED IN ABSENTIA, PLEASE BE AWARE THAT THE NEVADA DEPARTMENT OF CORRECTIONS MAY BE CONTACTING YOUR OFFICE FOR ANOTHER DETAINER WITH THE SAME WARRANT/CASE NUMBER. THANK YOU

WE APOLOGIZE FOR ANY INCONVENIENCE THAT THIS MAY HAVE CAUSED.

REFER: J BUDDEN, FUGITIVE APPREHENSION UNIT 775-684-2600
 ANNE K.CARPENTER CHIEF NEVADA PAROLE & PROBATION CARSON CITY NV.

San Diego County SHERIFF'S DEPARTMENT

NOTICE OF NO COMPLAINT, ADD, DROP, OR CHANGE CHARGE

Sheriff's Case Number N/A

TO: SHERIFF, SAN DIEGO COUNTY JAIL

FROM: SAN DIEGO SHERIFF'S DEPARTMENT
 OTHER _____

SUBJECT: NOTICE OF NO COMPLAINT ISSUED
 ADD, CHANGE, OR DROP CHARGE
 DETENTION ONLY

PRISONER'S NAME **The Bear, Smokey** County Jail Booking No. **12345678**

No complaint will be issued by the District/City Attorney against the above-named prisoner, charged with:
 Reason: _____

The charge(s) against the above-named prisoner have been changed or dropped:
 Release: ARR 1 (Warrant 43622) DPS, NEVADA
 Add: _____

This is your authority to release the above-named prisoner per Section 849(b)(1) P.C., subject to any holds now pending.

This is your authority to release the above-named prisoner charged with violation of Section 847(f) P.C. per Section 849(b)(2) P.C., subject to any holds now pending.

This is your authority to release the above-named prisoner per Section 849.5 P.C., subject to any holds now pending.

Signature *[Signature]* Date 03/19/2020

Department / Office SDSD-Extraditions Reason: Will Not Extradite

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EXTRADITIONS TO STATE OF CALIFORNIA

Effective January 1, 2011, the bail on warrants for persons extradited back to California will be increased by \$100,000.00, e.g., if the bail on a warrant is \$15,000.00, the total bail will be \$115,000.00.

Warrants reflecting charges shown as punishable by life imprisonment, death, or escape from confinement after conviction are not eligible for bail, regardless of the bail amount indicated on the warrant.

Note: This change only applies to persons extradited to California from another state. Current procedures pertaining to wanted individuals booked per Penal Code 1551.1 that are extradited to another state from California remain unchanged.

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