

## Book and Release (B&R)

A Book and Release (B&R) is not required to post bail and generally is only authorized for misdemeanor charges meeting certain criteria. Inmates brought into custody with the following field arrest OR warrants as indicated on the San Diego County Sheriff's Department Booking Acceptance Criteria (BAC) qualify to be processed as a book and release:

- 21200.5 VC – Riding a bicycle under the influence (J-14)
- 655(B) HN – DUI Boat/Vessel (J-14)
- 11550(A) HS – Under the influence (J-14)
- 647(F) PC – Public intoxication (J-68)
- 647(F) PC – Disorderly conduct-drugs (J-14)
- San Diego County misdemeanor warrants from Deputy Sheriff's assigned to Court Services Bureau (CSB) (J-14)
- PROP 47 misdemeanor warrants or field arrests:
  - 470(a) PC <950.00 – Forgery (J-14)
  - 470(d) PC <950.00 – Forgery (J-14)
  - 475 (a) PC <950.00 – Possess Forged Paper w/Intent to Defraud/Pass (J-14)
  - 475 (b) PC <950.00 – Possess Incomplete Check/. w/Intent to Defraud/Complete (J-14)
  - 476 PC <950.00 – Make Fictitious Check (J-14)
  - 484e(a) PC – Sell/etc. Access Card Fraud/etc. (J-14)
  - 484e(b) PC – Grand Theft Access Card 4+ Person (J-14)
  - 484e(d) PC – Acquire Access Card Account Information/Defraud (J-14)
  - 459.5 PC – Misdemeanor Shoplift (J-14)
- PROP 64 misdemeanor warrants or field arrests:
  - 11360(a)(2) HS – Transport Marijuana 18 and Over (J-14)
  - 11360(a)(3) HS – Transport Marijuana 18 and Over w/ priors (J-14)
  - 11359(b) HS – Possession of Marijuana for Sale Over 18 (J-14)
  - 11359(c) HS – Possession of Marijuana for Sale Over 18 w/ priors (J-14)
  - 11358(c) HS – Plant/Cultivate/Etc. More Than 6 Marijuana Plants Over 18 (J-14)
  - 11358(d)HS – Plant/Cultivate/Etc. More Than 6 Marijuana Plants Over 18 w/priors (J-14)
  - 853.6(i) PC – Discretionary Booking (J-14)

**If charges 11550(A) HS and 647(F) PC are brought in together with no additional charges, the inmate will be processed as a B&R and released on their own recognizance using the Notice to Appear per 853.6 PC (O.R.) J-14 form.**

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Inmates with felony charges reduced to a misdemeanor per California Penal Code section 17(b)(4) may also be granted an OR release using the J-14 form.

The watch commander can also authorize the OR release of pre-arraignment misdemeanor inmates. When this occurs, the watch commander's signature is required to authorize the release. **Felony charges do NOT qualify for book and release.**

The B&R process will be completed using the information on the Booking Intake/Personal Property Inventory (J-15 form). The Probable Cause Declaration (PCD) will remain part of the inmate's custody record. If the inmate is cleared of wants and warrants, no action is needed by Medical and Classification.

**NOTICE TO APPEAR PER 853.6 PC (O.R.): J-14 FORM**

Inmates processed as book and release must agree to appear in court on the pending charges at a later date and time by signing the [Notice to Appear per 853.6 PC \(J-14 form\)](#). The date and time the inmate is scheduled to appear is derived from the [Daily Release Schedule](#) and the court location is determined per the J-15. It is imperative to accurately fill out the J-14 form in its entirety and obtain the inmate's signature. Without the signature, the Notice to Appear form is not valid and enables the judge to issue a warrant if he/she fails to appear for their court appearance.

After the inmate signs the Notice to Appear (J-14 form), the original will immediately be forwarded via interoffice mail addressed to the Custody Court Supervisor in the court of jurisdiction, one copy will be provided to the inmate and one copy will remain with the inmate's custody record. The court date and time the inmate is to appear will be entered in the JIMS and the disposition of B&R-BOOK AND RELEASE will be used to close out the arrest.

The mail stops for each court jurisdiction are as follows:

<b>Central Division</b>	C-44
<b>Eastern Division</b>	S-117
<b>Northern Division</b>	N-161
<b>Southern Division</b>	S-111

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## WANTS AND WARRANTS

Wants and warrants MUST be cleared for an inmate's release to be authorized as a B&R. Once Sheriff's Records has verified the inmate's identity and linked his/her record and the SCN and JIMS Verified "Y" are present, a wants and warrants query will be conducted. If Sheriff's Records have not verified prints in a timely manner forward a [Request to Verify Receipt of Livescan \(J-352 form\)](#) to determine if the inmate needs to be live-scanned again.

If an active warrant meeting the Booking Acceptance Criteria is discovered, the warrant will be called for and booked as an additional arrest. The inmate will remain in custody and complete the booking process. In addition, the inmate will be given the option of signing the J-14 for the original B&R charges agreeing to appear in court on a later date or be scheduled for a court appearance per PC 825 guidelines. If the inmate signs, the B&R arrest will be closed out and the original J-14 form will immediately be forwarded to the court.

## INMATE REFUSAL

If an inmate refuses to sign the J-14, "Refused" will be written on the signature line and the J-14 will be filed in the inmate's custody record. The inmate will remain in custody with bail, be scheduled for court per PC 825 guidelines and the PCD will be submitted electronically to the duty judge via the probable cause declaration scanning program.

## 849b(2) PC RELEASE ORDER (J-68 FORM)

If the arrest is for PC 647(F) Public Intoxication and the J-15 does NOT indicate "Chronic Drunk," "Serial Inebriate Program (SIP)" or "Prosecution Desired," the 849b(2) PC Release Order (J-68 form) will be used. Per California Penal Code section 849b(2), persons arrested for public intoxication only will be released with no further proceedings. The original J-68 form will be given to the inmate and a copy will remain with the inmate's custody record. The disposition of (B)2-NO FURTHER PROCEEDINGS 849 (B)2 will be used to close out the arrest.

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## PROSECUTION DESIRED

If the J-15 indicates "Prosecution Desired" for an inmate charged with PC 647(F) public intoxication, the inmate will be processed as a B&R. However, the Notice to Appear (J-14 form) will be used and the inmate will be required to appear in court. The disposition of B&R-BOOK AND RELEASE will be used to close out the arrest.

## CHRONIC DRUNK or SIP

If the J-15 indicates "Chronic Drunk" or SIP, the inmate will remain in custody with bail, be scheduled for court per PC 825 guidelines and the PCD will be scanned electronically to the duty judge.

Chronic Drunk or SIP inmates from agencies with prior approval or documentation on file will NOT be released as a B&R and will remain in custody with bail and be scheduled for court per PC 825 guidelines.

Currently, those agencies are:

- San Diego Police Department (SDPD)
- San Diego Harbor Police (SDHP)
- Escondido Police Department (ESPD)
- Oceanside Police Department (OPD)
- Carlsbad Police Department (CBPD)
- North County Sheriff's Departments ([North County Chronic Intoxicant List](#))

Arrests from the El Cajon Police Department (ECPD) reflecting "Chronic" or "SIP" will be accepted, but will NOT be kept in custody. The J-14 will be used and the inmate will be processed as a B&R per PC 853.6.

Arrests from Lemon Grove Sheriff's Office reflecting "LG-SIP" will be accepted, but will NOT be kept in custody. The J-14 will be used and the inmate will be processed as a B&R per PC 853.6.

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## EXCEPTION

If SDPD or SDHP charges an inmate with acceptable B&R charges and additional misdemeanor charges NOT listed on the Booking Acceptance Criteria, the inmate will be kept in custody as a CITY INMATE. These inmates will NOT be processed for release.

## COURT BOOK & RELEASE (B&R)

A Court B&R is ordered by the court to report to a detention facility on a specific date and time to be booked into Sheriff's custody and then is immediately released. This is done to create an arrest record and is considered 1 day of custody. The inmate must report with a valid ID and a copy of their court paper.

The DPT will first complete the intake and pre book process with the information from the [Court Book and Release Intake Slip \(J-15B form\)](#). The arresting agency used for Court B&R arrests will be Self-Surrender and the arrest type is OBKD – Booked Other. In the notes, "Court B&R" will be entered. Upon completion of the pre book process, sworn staff will live scan the inmate. A Request to Verify Receipt of Livescan will be sent to Sheriff's Records to verify prints were received. Prints do not have to be verified, just received by Sheriff's Records. The DPT will continue with the booking and pre-release process. Wants/Warrants will be cleared with an "A" and no action is needed by Medical. If the DNA field is blank or any felony charges are listed, notify JPMU before releasing the inmate. Once Records confirm prints were received, the DPT will close out the arrest with the disposition of CB&R-COURT SERVICES BOOK AND RELEASE. The inmate's custody record will immediately be forwarded to final release for transport to Sheriff's Records. The Request to Verify Receipt of Livescan received from Sheriff's Records will remain part of the inmate's custody record.

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