

DETAINERS

A detainer is a legal document requesting that an inmate be held in custody by one agency for another agency. There are several kinds of detainers.

FUGITIVE

A fugitive detainer (also referred to as a “fug” or “1551”, the latter for the code section for fugitives – CA Penal Code Sections 1551 & 1551.1), is placed on an inmate if he/she is wanted by a state other than California, regardless of the original charges. When an inmate is done with any local or in-state matters, he/she will be booked per PC 1551 or 1551.1, and the Sheriff’s Fugitive Deputy will be notified. The Fugitive Deputy will then arrange for the inmate to sign a Waiver of Extradition in open court, and make arrangements with the demanding agency for pick up.

FEDERAL

A federal detainer is usually placed on an inmate when he/she is wanted by the U.S. Marshal’s Service. This can include being a federal parole violator; having a federal case pending in U.S. District Court; or an outstanding federal warrant. When an inmate is done with his/her local & state matters, he/she will be booked on the federal detainer, and the local U.S. Marshal’s office will be notified for pick up.

STATE

The California Department of Corrections and Rehabilitation can issue several types of detainers for inmates. These can include the various types of parole holds (PC 3056, PC 5054.1, WI 3151, and WI 1767.3) as well as return orders for inmates brought into Sheriff’s custody from state facilities for court appearances. When an inmate has completed all the required court appearances, they will be booked on their detainer, and returned to the State’s custody as quickly as possible.

LOCAL DETAINERS

A local detainer form J-118 will be prepared for inmates that are transferred to other agencies with time remaining to be served on a local sentence. As an example, TOC to State Prison; fugitive/Out of county warrants; Federal matters, etc. ([See Out of Custody Section](#)) for additional information.

INTERSTATE AGREEMENT DETAINDER

California Penal Code Section 1389 PC, “The Agreement on Detainers,” allows the state that has outstanding charges or untried indictments against a prisoner who is currently incarcerated in another jurisdiction, to be transported to the state seeking prosecution. These proceedings are solely initiated by the San Diego County District Attorney’s Office ([See Interstate Agreement Detainer Section I](#)).