

## **FEDERAL INMATES**

*Reference Sheriff's Policy and Procedure sections Q.31 Federal Writs of Habeas Corpus Ad Prosequendum and Q.39 Writ of Habeas Corpus*

The State District Attorney's Office requests an inmate housed in federal custody (i.e. Metropolitan Correctional Center-MCC) be produced in San Diego Superior court, the court issues a Writ of Habeas Corpus requesting the inmate's presence for new charges, further proceeding, or as a material witness. Follow the procedures below:

1. When a Transportation Order is received at a detention facility, notify the San Diego Sheriff's Court Services Bureau Prisoner Transportation Detail (Trans) of the inmate's pending court appearance date, place, and time. Fax a copy of the order and send the original via county mail to the transportation detail. Trans will make the arrangements for the pick up and transportation of these inmates to either the court of jurisdiction or Sheriff's custody.
2. Upon delivery to a Sheriff's receiving facility, Trans is responsible for obtaining and delivering all necessary documents for processing. These documents are:
  - a. **J-15 - INTAKE SLIP**
  - b. **SEALED PROPERTY BAG**
  - c. **COURT DOCUMENT/WRIT OF HABEAS CORPUS**
  - d. **FEDERAL DETAINERS**-Federal detainers can sometimes be difficult to ascertain due to the fact that a form with the notation "Detainer" is not always present and the documentation does not clearly delineate custody status.

However, accompanying documents with court orders from the District Attorney's office may request the Federal inmate's presence in Superior Court. These documents MAY include:

- Letter from DA to Sheriff informing of the inmates' transport
- Letter from DA to Federal Prison warden indicating the DA's wish to assume temporary custody
- 10 point letter from DA to Federal prison warden addressing specifics of request
- Application for Writ of Habeas Corpus
- Writ of Habeas Corpus
- Transportation order

The above mentioned documents contain language that indicate the inmate is a Federal prisoner and is to be returned to their custody once his/her local cases(s) are adjudicated. Additionally, the DA's office usually sends us copies of the completed extradition package well in advance of the inmate's arrival. These packages are kept in the Detention Processing Supervisor's office until the inmate arrives.

These inmates are booked either as a PC 2620 Further Proceedings or PC 2620 Material Witness.

**FURTHER PROCEEDINGS (PC2620)** See Pre-book Manual [BRMD](#) and [HDET](#)

**MATERIAL WITNESS (PC2620)** See Pre-book Manual [BRMD](#) and [HDET](#)

To readily identify Federal inmates while in Sheriff's custody, records are maintained in a **RED** custody record. This also alerts the Court Update Technician that additional tasks and notifications are made.

Each time a Federal inmate appears in court, the court document is faxed to the originating Federal facility. This informs the Federal Correction Facilities of their inmate's court status.

Upon completion of all court proceedings the final court order is faxed to the transportation detail.

Trans is responsible for delivery arrangements with the federal institution. They are also responsible for obtaining and delivering all necessary documents. These documents are:

- SEALED PROPERTY BAG
- MINUTE ORDER - COURT DOCUMENT
- SHERIFF'S DETAINER

#### **FEDERAL INMATES SENTENCED TO LOCAL CUSTODY**

If a federal inmate is sentenced to local custody the detentions processing technician (DPT) completes a sentence computation record in the computer system. The DPT generates a detainer notice (form J-118) from the San Diego County Sheriff's Department to accompany the inmate back to their originating facility.

#### **FEDERAL INMATES SENTENCED TO STATE PRISON**

When a federal inmate is sentenced to the California Department of Corrections and Rehabilitation, the DPT assigned to the court update position faxes a copy of the court document and the Abstract of Judgment (when received) to the originating federal facility. A copy is placed in the inmate's custody record for record purposes only.

The original Abstract of Judgment is returned to court of origination, with written notification of inmate's custody status (i.e. inmate in custody at MCC).

***NOTE: Do not forward these Abstracts to the Department of Justice as the courts already do this. The inmate will be returned to federal custody.***

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## **DRUG ENFORCEMENT ADMINISTRATION AND THE UNITED STATES MARSHAL SERVICE ARRESTEES**

DEA and USM arrestees are booked into Sheriff's custody **ONLY** outside of MCC hours of operation. Current MCC hours of operation are Monday through Friday from 0800 hours to 2000 hours and on Saturday and Sunday 0630 hours through 2000 hours.

*Note: The following instructions are for arrestees who are charged with federal charges only. If charged with state charges, follow our current process.*

### **DEA INCOMING PRISONERS**

To process a **DEA** detainee into Sheriff's custody, *see Prebook Manual [BFED](#).*

When conducting "Charge Review" verify the billing agency reflects DEA. The accurate billing agency is critical to ensure billing to the correct agency.

Once the booking process is completed, place the disposition of DPS in the disposition field and forward the custody record to the detention processing supervisor. The supervisor or designee notifies the DEA in order to arrange a pick-up time; Monday through Friday, 0800 hours to 1700 hours at (858) 616-4100.

### **USM INCOMING PRISONERS**

To Process a **USM** detainee into Sheriff's custody, *see Prebook Manual [BFED](#).*

USM is not always the arresting agency. When conducting "Charge Review" verify the billing agency reflects **USM** as JIMS automatically defaults the arresting agency information into the billing agency field.

Once the booking process is completed, place the dispo of DPS in the disposition field and forward the custody record to the detention processing supervisor. The supervisor or designee notifies the USM to arrange a pick-up time; Monday through Friday, 0800 hours to 1700 hours at (619) 557-6061.

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## **EN ROUTE FEDERAL INMATES**

At times, federal law enforcement agencies may request inmates with federal charges be held in Sheriff's custody pending transportation to a federal institution. This type of custody is normally arranged in advance. The charge(s) (ex. 18 USC 1201-Enroute) are the federal charges listed on the accompanying documentation. It is necessary to check the Force Statute box in order to add "Enroute" after the charge in the Charge Description Field.

When Federal Enroute inmates are received for holding and processing, the agent's contact information and pick-up date/time MUST be obtained. This information is entered in the Schedule Events Navigator of the JIMS (*See DPT Manual, [Schedule Events](#)*). It is NOT entered in the Maintenance notes field.

*Refer to Prebook Manual [BFED](#) for detailed instructions.*

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