



OPERATIONS ORDER

Releases

The purpose of this Order is to standardize procedures for inmate releases at the **Main Jail** and at the **Rio Cosumnes Correctional Center (RCCC)** for the timely and lawful release of the inmate and his/her personal property.

I. Release Process

- A. Before releasing an inmate, custody staff shall:
1. Determine the authority for processing the release.
 - a. The existence of an ICE detainer may not necessarily permit retention of the inmate in custody, as explained in Section VI below.
 2. Identify the inmate by name, date of birth, photograph, physical description, wristband and interview. The inmate must also be identified via Cal ID.
 3. Ensure that all necessary paperwork is completed and signed.
 4. Gather all of the inmate's property from the property room to assure all authorized property will be returned to the inmate.
- B. Custody staff reviewing the release shall determine the authority for the release, which includes but is not limited to:
1. OR (Own Recognizance) release by the court and/or the pre-trial service recommendation.
 2. Bail by Surety bond (bail bond) or cash.
 3. Release to SCMHTC (Sacramento County Mental Health Treatment Center) (*Welfare and Institutions Code 5150*).
 4. Held under *California Penal code 849(b)* - detainment only.
 5. Time served on a charge or modification of sentence by court.
 6. Enroute to another facility or program.

7. Temporary release of inmate (*California Penal code 4018.6*).
8. Temporary release pursuant to court order (*California Penal Code 4004*).
 - a. No inmate shall be temporarily released to another law enforcement agency absent a court order in compliance with California Penal Code 4004.
 - (1) Reserve deputy sheriffs regularly employed as peace officers for another agency must comply with California Penal Code 4004 if release of an inmate is sought in the capacity of such other peace officer employment, not as a member of the Sheriff's Department.

II. Release From Custody

- A. **Housing unit officers shall check for releases at least once per hour in JIMS** (Jail Information Management System).
- B. The following procedures shall be followed when processing an inmate from a housing unit:
 1. The inmate is directed to report to the control room window with all personal belongings and issued bedding/linens.
 2. Using the inmate's locator card and any other information, housing unit staff shall verify the inmate's identity by photograph, physical description, wristband, and interview.
 3. Once the inmate is properly identified, the housing unit officer shall depart the release in JIMS and place the locator card in an envelope and send it with the inmate to the booking area.
 4. At the **Main Jail**, the inmate is moved via the elevators to the 1st floor. The inmate shall remain on the elevator until a deputy arrives to physically escort the inmate to the release tank.
 5. At **RCCC**, the inmate is moved to the booking area and remains in the booking area until the release process is completed. Inmates may or may not be escorted by custody staff according to the security needs and operation of the facility.

- C. Once in the release tank or holding cell prior to release, the inmate will be allowed to change into his or her personal clothing unless the inmate is being transferred to another facility and additional issued clothing is necessary. Inmates must return all clothing issued by the facility.
- D. It is the responsibility of custody staff working in the property room to deliver the necessary paperwork and valuable property to release staff and to ensure that the inmate returns all jail clothing.
- E. The releasing officer shall verify the inmate's identity by name, date of birth, photograph, physical description, wristband, and interview during the release process.
 - 1. Verification of identity shall include the use of the Grab 'Em device.
 - 2. The releasing officer shall remove each inmate's wristband prior to release.
- F. The inmate will be allowed to check and sign for his or her property and money. The releasing officer will verify the signature in the appropriate section of necessary paperwork.
 - 1. If the inmate is unable to or refuses to sign paperwork, the officer completing the paperwork will write name and badge number and "Refuse to sign" in the appropriate location(s).
- G. The releasing officer is responsible for screening inmates to ensure he/she is not leaving with jail issued clothing. Persons found to have exited the facility with jail issued property may be subject to arrest.
- H. The releasing officer will perform the release screening and have the inmate sign a "Release Screening Form" in the appropriate section. If the inmate has a complaint, a sworn supervisor shall be notified of the complaint.
 - 1. If the inmate has a medical complaint, the inmate shall be given the option of being evaluated by medical staff prior to release.
 - 2. If the inmate wishes to speak with a supervisor, a supervisor shall be requested to respond to the inmate's location.
 - 3. If the inmate refuses a medical evaluation and/or does not wish to speak with a supervisor, a supervisor shall be notified of the complaint.

- I. If the releasing officer does not have a hardcopy file with which to process the release, a “dummy file” will be created and used to process the release. The file will contain information obtained from JIMS and/or other available records. **No inmate will be released without fingerprint records or identification through Cal ID.**

1. When this occurs a supervisor shall be notified prior to release.

III. Wrongful Releases

- A. If an inmate is released before the time served date, or when an active hold, warrant, or charge exists, or if the wrong individual is released, the release shall be considered a “wrongful release” and shall be treated as an escape.
- B. The first person to become aware of the wrongful release shall notify a sworn supervisor immediately.
- C. Custody staff shall be directed to perform a search for the inmate inside and around the perimeter of the facility.
- D. A sworn supervisor or his/her designee shall contact the Intelligence Unit supervisor and/or the Sacramento Sheriff’s Department Warrant and Fugitive Bureau with the details of the wrongful release.
 1. The shift watch commander shall determine if designated facility deputies are sent to locate any wrongfully released subject.
- E. A sworn supervisor shall ensure that the communications center is notified so an outside agency notification is generated.
- F. All personnel having any involvement in the incident shall write an Inter-Department Correspondence (IDC) detailing his/her involvement.
- G. In addition to the IDC, the releasing officer shall complete a crime report with Penal Code 4004 as the charge and a Watch Summary Report. The narrative report shall contain all available information, including but not limited to:
 1. Any cautions or remarks in the JIMS file of the escaped inmate.
 2. Personal information, background, custody status, and housing and inmate worker assignment, if applicable.
 3. The pending charges against the escaped inmate.

4. Information about the escape, including location, witnesses, and how the escape was discovered.
 5. The time of the last scheduled count in the escaped inmate's housing location, and the next scheduled count.
 6. Security devices in use during the escape, and whether the security devices were in working order, and the method used to overcome security devices, if applicable.
 7. Ways the escape could have been prevented.
 8. A calculation of the number of days remaining on the inmate's sentence.
- H. Documentation related to the wrongful release shall be completed before the end of the scheduled shift if possible and will be gathered into a completed package and submitted to the designated supervisor.

Once the documentation is complete, the supervisor shall submit a written summary of the incident to his/her watch commander.

- I. The watch commander is responsible for reviewing the wrongful release and adding a summation if necessary. Upon completion, the watch commander shall submit their recommendation to the Assistant Division Commander and/or the Operations Lieutenant.
- J. The Assistant Division Commander and/or the Operations Lieutenant shall review the documentation and include any recommendations related to the wrongful release.
- K. A recapture of escapee report shall be completed by the Intelligence Unit upon return of the escapee.
 1. The escapee shall be booked using the wrongful release section of the Release portion of JIMS.
 2. Intelligence staff shall interview each escapee upon recapture. The interview results will be included in the Management Summary Report, or submitted as a supplement to the Management Summary Report.

IV. Temporary Releases and Transfers

- A. If an inmate is to be temporarily released from custody for medical treatment or other purposes, the officer scheduling the transfer shall enter the housing move destination to "NMJ TMP OUT" or "R3C TMP OUT" in JIMS.

1. When the inmate returns to custody, the inmate should have a new photograph taken and a new locator card should be printed out with the updated photograph.

B. Housing unit officers shall check for transfers in JIMS at least once per hour. The inmates scheduled for transfer are processed as a release from the housing unit.

1. The custody files, applicable billing receipts, and applicable detainers are prepared by booking staff.
2. The medical files will be prepared by medical staff and either delivered to or picked up by staff working in property.
3. Property staff may return the inmate's personal clothing if appropriate, and may assist receiving agencies as needed.

V. Misdemeanor Releases

A. In order to maintain compliance with our court-ordered consent decree and Section 853.6 of the Penal Code, it is necessary to implement the following protocol:

1. **All** arrestees booked with only misdemeanor warrants shall be issued a citation and released, **UNLESS** there are Judge's remarks that have notation(s), "No O.R.", "No 853.6", "No Release without Bail," "Must Bail," "No Bail," or similar language from the Judge instructing an arrestee to be kept in custody. **This includes out-of-county warrants.**
2. No inmate shall be kept and housed based solely on the number of misdemeanor warrants he or she is booked in with. They shall be cited for **all** the warrants, if they are otherwise qualified for release **UNLESS** any of the warrants contain the aforementioned Judge's remarks.
3. **All** misdemeanor fresh arrests and non-sentenced misdemeanor court remands shall be cited and released, excluding crimes and arrest/bench warrants of domestic violence (i.e. PC 243(e)(1), PC 273.6, PC 273.5) or those inmates with an accompanying parole, hold. Inmates with misdemeanor cases and the aforementioned holds will remain "in custody" and the case will remain active until the accompanying hold is dropped.
4. **All** felony charges that are reduced to misdemeanors in court shall be cited and released, if they are otherwise qualified for release.

- B. The following misdemeanor arrestees shall **NOT** be released:
1. When a warrant has the specific instructions of “**No O.R.**,” “**No 853.6**,” “**No Release without Bail**,” “**Must Bail**,” or similar language from the Judge instructing the arrestee to remain in custody until certain parameters are met, the arrestee shall be kept in custody until his or her court appearance, or until bail is posted. When a warrant has the specific instructions of “**No Bail**”, the arrestee shall be kept in custody until his or her court appearance.
 2. When a misdemeanor remand has the language from the court, “Hold for PC 1368 competency until medically evaluated”, the misdemeanant shall be kept in custody until he or she is medically evaluated by a court-appointed doctor. Once evaluated, the inmate may be released pursuant to PC 853.6, if he or she is otherwise qualified for release.
- C. If there are any concerns regarding any particular arrestee/inmate, contact a Booking Sergeant or Booking Supervisor for a determination. Any ambiguity whether a particular arrestee/inmate should be cited or remain in custody should be resolved in favor of keeping the arrestee/inmate in custody.

VI. Immigration Customs Enforcement (ICE) Holds

- A. All (ICE) Detainers (ICE Form I-247) placed by ICE for foreign-born inmates will be entered into JIMS as a “BP” Hold, and **immediately** cancelled. This will allow for the tracking of these detainers, but will not delay the release of the inmate once all other charges have been cleared.
- B. ICE will not be notified of pending release of any inmates who have a “BP” Hold prior to their release.
- C. No contact or coordination with ICE will be made with regards to the release schedule of any inmate. Any inmate eligible for release will be processed, without delay, for release.