

## **VOLUME 5 - CHAPTER 3**

### **PRISONERS**

#### **5-03/000.00 PRISONERS**

This chapter outlines the procedures to be followed by this Department between the time a person is arrested and released. During this period of detention or incarceration, the custodian of a prisoner shall be accountable and duty-bound for the safety and protection of that prisoner. Reasonable and ordinary care for the prisoner's life and health shall be constantly exercised.

#### **5-03/002.00 SMOKING**

Concerning inmates and prisoners, the entire custody environment is tobacco and smoke free. Smoking by employees, inmates, vendors, and civilian contractors is strictly prohibited.

County vending systems, including but not limited to custody commissary operations and vending machines located within any County-owned or leased facility, shall not dispense nor not permit the sale of any item or substance listed in section 3-01/030.51, "No Smoking" Areas.

NOTE: For purposes of this section, inmates and prisoners shall include all persons whether physically confined or part of a work group or fire crew.

#### **5-03/005.00 GENERAL RESPONSIBILITIES AND PROCEDURES**

The subsections which follow outline the duties and procedures to be followed by the various interrelated Units of the Department which are concerned with prisoners.

#### **5-03/005.05 INMATE RECEPTION CENTER**

The Inmate Reception Center (IRC) is the central control for the processing of male prisoners. IRC has functional supervision over the reception Unit at Century Regional Detention Facility (CRDF, the booking function at LAC/USC Medical Center Jail Wards and the booking functions at all Sheriff's Stations.

The Warrants and Detainers Unit (WAD) is responsible for:

- setting the arraignment date and ordering prisoners to court whenever a prisoner is received at IRC on a warrant or abstract from a L.A. County court (includes warrants placed as additional charges);
- receiving, filing and processing all warrants or abstracts placed against prisoners in the County Jail system, except Stations and CRDF;
- receiving and processing all Automated Justice Information System (AJIS) "Hit Notices" for prisoners in the County Jail system, except Stations and CRDF;
- delivering a copy of the out-of-County warrant notification to a prisoner booked on an out-of-County warrant. This notification shall be noted on the warrant;
- coordinating Superior Court bench warrant court appearance with the County clerk and Major Crimes Bureau; and
- notifying Records and Identification Bureau (RIB), Countywide Warrant System (CWS) Operations Unit, to reactivate any L.A. County issued warrant that IRC determines was erroneously served on a prisoner in custody. IRC will add exoneration information (JDIC Want 5) to the warrant record prior to notifying CWS Operations.

In addition, WAD is also responsible for making the following notifications:

- Major Crimes Bureau when a prisoner is available for arraignment on an out-of-state warrant;
- out-of-County agencies when a prisoner is available for an out-of-County warrant; and
- outside agencies of a prisoner's availability or when a prisoner will appear in court on a warrant that the agency has placed against him.

### **5-03/005.10 CENTURY REGIONAL DETENTION FACILITY**

Century Regional Detention Facility (CRDF) is basically responsible for:

- female prisoner processing and handling and for the release of female prisoners; and
- functions performed by WAD when it involves female prisoners.

### **5-03/005.15 MAJOR CRIMES BUREAU, METRO DETAIL**

Major Crimes Bureau is responsible for handling out-of-state warrants and court notification of arrest on Superior Court bench warrants, etc. This information is covered more completely in the Judicial Process chapter.

### **5-03/005.20 RECORD AND WARRANT SEARCH**

The Station/Unit shall make a record and warrant search in the Personal History, Wanted

Persons System (WPS) and Countywide Warrant System (CWS) for record and warrant information.

Stations/Units shall make a record and warrant search based upon AKA information from the MAIN number supplied by RIB subsequent to a Cal-ID fingerprint verification.

When wants are indicated, the following shall apply:

- notify the agency which placed or holds the want that the prisoner is in custody.

In turn, the Warrants and Detainers Unit shall:

- order any prisoner to court who is booked into MCJ on a warrant or abstract from a L.A. County Court; and
- notify out-of-County agencies when a prisoner is available for pickup on an out-of-County warrant.
- In turn, the Station/Unit shall:
  - book the prisoner after the Watch Commander has approved all warrants or abstracts received for the prisoner in their custody;
  - arraign prisoners arrested on warrants or abstracts issued by courts in the County if the prisoner has not been transferred to IRC/CRDF; and
  - notify out-of-County agencies, via the Justice Data Interface Controller (JDIC), of the disposition of a prisoner arrested for an out-of-County warrant, e.g., bailed out, transferred to IRC/CRDF, released on citation, etc.

### **5-03/005.50 PROBABLE CAUSE DECLARATIONS**

If there has been no prior judicial authorization of the arrest, detention, a Probable Cause Declaration (PCD) is required in all cases where a suspect (adult or 602 WIC juvenile) is booked into a Sheriff's Department facility and the arresting charge is:

- A felony;
- A misdemeanor that will cause an arrestee to be held over 48 hours;
- An infraction that will cause an arrestee to be held over 48 hours.

A PCD is not required for the following:

- Arrests made pursuant to a warrant, including Ramey Warrants, as all warrants have prior judicial review;
- Misdemeanor suspects who are to be released on citation prior to 48 hours after the time of arrest;

- Juvenile detainees who are not being released to the Probation Department (e.g., subject released to their parents/guardian);
- Parole violators (3056 P.C.);
- Military deserters.

The arresting unit is responsible for obtaining judicial review of the arrest.

Whenever a prisoner is held in custody for 36 hours without a required PCD having been approved by a judicial officer, the watch commander of the unit having custody shall:

- In the case of a non-Sheriff's Department arrest - Notify the arresting agency and determine the status of the judicial review. Such prisoners shall be released 48 hours after the arrest if no PCD has been approved;
- In the case of a Sheriff's Department arrest - Notify the duty commander, and the arresting unit. Provide a chronology of all efforts to obtain judicial review. Only the duty commander is authorized to release the prisoner due to the lack of an approved PCD.

### **5-03/010.00 ARREST REVIEW PROCEDURES**

All warrantless arrests require supervisory approval prior to completion of the booking process.

When suspects are booked into a Patrol Station jail, the arrest review shall be performed by the Watch Commander/Watch Sergeant of that Station. When suspects are booked at locations other than a Patrol Station, the arrest review shall be completed by supervisors of the Arresting Deputy's Unit of Assignment.

In circumstances where a Probable Cause Declaration is required, the declaration shall be completed prior to the arrest review and presented to the reviewing supervisor.

The following cases shall be reviewed by the Watch Commander:

- felony arrests;
- juvenile detentions; and
- all arrests involving an on-duty peace officer victim.

All other arrests shall be reviewed by the Watch Sergeant.

When arrests are not approved for booking, the arresting Deputy shall:

- query CWS and WPS via JDIC to ascertain if any warrants are outstanding;
- expedite the release of the prisoner if there are no wants;
- prepare an inactive arrest report indicating the reasonable cause for the arrest, and the name of the reviewing supervisor. Also include with the details of the

expeditious processing and release of the prisoner. The report shall state, "Detention only." Issue a Certificate of Release (SH-AD-516); and

- ensure that Livescan records of the booking are deleted by faxing a Live-Scan Correction form to the R.I.B. Fingerprint Unit at (562) 345-4465. The Fingerprint Unit can be contacted for assistance at (562) 345-4461. If the live-scan booking is still in process, the printing officer should abort the procedure by closing the program and not saving the record.

Do not prepare the Arrest Disposition Report or submit fingerprints on "Detention only" cases.

### **5-03/015.00 BOOKING NUMBERS**

A booking number shall be shown on the Booking and Property Record (B&PR) of every person who is booked into the County jail system.

Automated Justice Information System (AJIS) shall control the issuance of all booking numbers. Records and Identification Bureau (RIB) shall maintain a microfiche record of all those numbers issued.

Booking numbers are not issued for:

- mentally ill persons or mental institution escapees;
- persons arrested for another jurisdiction, when the booking and disposition of the case is handled by that agency and where the person arrested is not held in the County jail system; and
- adults arrested on a misdemeanor warrant, who are taken to court immediately to post bail or pay a fine and are released.
- the B&PR shall not be entered into the computer, and no Arrest Disposition Report (CII-15) shall be made. Cancel the booking number upon release of the prisoner.

Do not obtain a booking number for individuals pending the three (3) hour traffic warrant bail waiting period (section 40304.5 CVC).

A want check shall be made in all Sheriff's cases when a subject is detained but not booked.

### **5-03/020.00 IDENTIFICATION BANDS**

The Station or facility that first receives a prisoner shall apply a properly filled out "clincher security ID bracelet" (wristband) to the prisoner's left wrist at the time that a booking number is issued.

When a prisoner is released from custody, the Unit releasing the prisoner shall remove

the wristband.

#### **5-03/020.10 PROCEDURE FOR USING THE CLINCHER SECURITY ID BRACELET WITH BAR CODES**

The following prisoner data shall be typed onto a security ID bracelet label using a bar code printer. The label shall then be heat-sealed in a clincher ID bracelet. For proper application, refer to the manufacturer's instructions, which are included with each box of bracelets.

The prisoner's clincher bracelet shall display the following data:

- full name: last name, first name, middle initial;
- complete booking number;
- special information as needed; and
- booking number in bar code.

The clincher bracelet is attached by placing it around the prisoner's left wrist and securing the ends of the bracelet with a double head grip fastener rivet.

#### **5-03/020.20 RESPONSIBILITY OF MEN'S CENTRAL JAIL SUPPLY**

Central Jail Supply shall be responsible for maintaining and distributing the following supplies:

- clincher security ID bracelet kits which contain the wristbands, labels and the securing rivets;
- channel lock tools used to attach the wristband; and
- black ink fingerprint pads and replaceable inserts.

#### **5-03/020.30 IDENTIFICATION BAND COLOR CODE**

The clincher bracelet comes in six colors which shall be used as follows:

- white - general inmate population. This color shall be used for all inmates in custody who do not require special handling and who have no medical problems;
- yellow - medical alert. This color shall be used to denote prisoners with medical problems. The jail medical staff shall designate those prisoners with medical problems and shall authorize the placement of yellow clincher bracelets;
- red - special handling (see section 5-03/175.15 for special handling codes);
- blue - special handling (see section 5-03/175.15 for special handling codes);

- green - special handling.: High bail (K-6). Includes inmates with a bail of \$1 million and above. May also include some inmates with no bail holds or a high bail which is lower than \$1 million; and
- orange - male juveniles and female work furlough inmates.

If a prisoner requires special handling and he has a medical problem, he shall be given a red or blue special handling bracelet (see section 5-03/175.15 for special handling request procedures).

### **5-03/025.00 BOOKING AND PROPERTY RECORD FORM (B&PR)**

The four-part Booking and Property Record Form (SH-J-293) shall be prepared by the arresting Deputy or Station jailer when a prisoner is booked at a Station, or by the arresting Deputy when a prisoner is booked directly into LAC/USC Medical Center, or when a prisoner is booked directly into IRC/CRDF.

The B&PR shall be filled out as indicated below. Strict adherence to the instructions is necessary in order to facilitate entry into the Automated Justice Information System (AJIS).

An inquiry shall be made as to whether the prisoner has had or currently has tuberculosis, currently has hepatitis, a venereal disease or other special medical problems.

This information shall be placed in the upper right corner of the B&PR (Rev. 10/81) and the response to each question shall be recorded.

Any "yes" response signifying that the prisoner presently has hepatitis, venereal disease or tuberculosis shall require the following procedure:

- the prisoner shall be immediately segregated from other prisoners;
- a minimum of physical contact should occur between Deputies and the prisoner;
- the prisoner shall be transported expeditiously to IRC or CRDF; and
- the facility shall be advised, upon arrival, that the prisoner is a possible contagion.

An indication that the prisoner has had tuberculosis will not require segregation; however, notation shall be made.

Continue completing the B&PR with the following necessary information:

Line 1:

- booking number (7 digit number);
- location booked (use code); and
- driver's license number-state of issuance.

Line 2:

- last name;
- first name; and
- middle name, initial.

Line 3:

- home address of arrestee; and
- sex (must be either M or F).

Line 4 - all spaces must be filled with appropriate abbreviations and symbols found in the NCIC Code:

- descent;
- hair;
- eyes;
- height, expressed in feet and inches only, do not use fractions (e.g., 504, 511, 602);
- weight, expressed in pounds, no fractions (e.g., 94 pounds is 094; 175-1/2 pounds is 176);
- birth date, expressed in six numbers (e.g., January 1, 1940 shall be 01-01-40); and
- age.

NOTE: If the birth date or age is not obtained, it will be the responsibility of the arresting Deputy to issue an appropriate age and birth date of February 30, with the year to correspond with the age (e.g., age 37, birth date 02-30-46). An age of 00 or a birth date of 00-00-00 will not be accepted by the computer.

Line 5:

- vehicle license number-state of issuance (see state chart);
- AKA/Nickname; and
- reporting district-must be four numbers and the correct reporting district (RD) where the arrest was made.

NOTE: If arrest is made out of the Station's/Unit's area but is not a contract city, the RD will be the first two numbers designated for the Station's/Unit's RD and 99.

Example:

East Los Angeles - 0299,  
West Hollywood - 0999,

Line 6:

- birthplace-do not use commas;
- file number-if Sheriff's file number use all 15 digits of URN (no dashes);
- additional charge-use either "Y" for yes or "N" for no;
- if yes, complete "Additional Charge" form (SH-CR-435); and
- place the words "Original Charges" in the left-hand corner of the form and attach to the B&PR.

Line 7:

- agency arresting-must be completed, use numerical code;
- NOTE:           Transportation Bureau is not an arresting agency.
- detail arresting-use no more than four numbers;
  - date arrested-must be filled in-use 6 digits and 2 dashes; and
  - time arrested-must be filled in using Continental time.

Line 8:

- location of arrest; and
- total bail-do not leave blank; enter a bail amount or indicate "no bail".

Line 9:

- enter only one charge (cannot be omitted), using the numerical code and charge description. The level (e.g., felony, misdemeanor, citation, delinquent, infraction, other) must be added after the numerical charge number and before the charge description; and
- when warrant or commitment is used, enter number preceded by a W or C.

Line 10:

- jail locations-for IRC/CRDF use only;
- arraignment date-use 6 digits and 2 dashes;
- time-use continental time only;
- court (must be abbreviated); and
- prisoner's signature.

Lines 11-15 are self-explanatory.

Lines 16-20 - prisoner property – list cash and personal property on these lines. The following items shall be retained by the prisoner unless the prisoner requests the items to be placed in property:

- ring – plain wedding band without stones;
- hearing aid with one set of batteries;
- eyeglasses (contact or prescription lenses and non-metal case);
- comb-plastic or rubber (not rat-tail or metal and not to exceed 6");
- handkerchief (white only);
- copy of traffic citation attached to prisoner's copy of booking slip; and
- miscellaneous papers necessary for court.

NOTE: The last two items shall not be placed in property.

Except for the cash, the above items will not be listed on the booking form. The money will be listed but no signature will be necessary nor will the property need to be receipted.

See section 5-03/200.00 on Prisoner's Property processing procedures.

Any exceptions to, or questions about, the above should be directed to the IRC processing Sergeant.

#### **5-03/026.00 ARREST PERSON'S CHILDREN FORM (SH-R-625)**

The Arrested Person's Children form (SH-R-625) shall be initiated by either the arresting deputy/officer or booking officer as specified below. This form shall be completed for every person who is arrested by Sheriff's Department personnel and those arrestees booked into a Sheriff's Department station/facility by an outside law enforcement agency.

The arresting deputy/officer and/or booking officer shall advise the arrestee that if he or she is the parent or guardian of a minor child, that he or she is entitled to two additional telephone calls to make arrangements for care of the minor child. See section 5-03/055.00 for telephone call procedures.

Section I of the form shall be completed and signed by the arrestee. If the arrestee refuses to complete and sign the form, the arresting deputy/officer or booking officer shall write "refused" across the arrested person's section of the form and sign and date immediately beneath the word "refused".

If the arrestee indicates he or she is not the custodial parent or guardian of a minor child or refuses to complete and sign the form, the arresting deputy/officer or booking officer shall complete Section III and obtain approval of the Watch Sergeant.

If the arrestee is the custodial parent/guardian of a minor child and the child was not present at the arrest, the arresting deputy/officer and/or booking officer shall complete Section II. The arresting deputy/officer or the booking officer shall complete Section III and obtain approval of the Watch Sergeant.

If the arrestee is the parent or guardian of a minor child and the child is present at the time

of the arrest, the arresting deputy/officer shall complete Section II of the form. The arresting deputy/officer shall complete Section III and obtain approval of the Watch Sergeant.

The original form shall be attached to the B&PR (SH-J-293) and if a child is present at the arrest, a copy of the form shall be attached to the Incident Report.

Pursuant to 11165.7 PC, the Department of Children and Family Services shall be notified by law enforcement when a child is a victim of suspected child abuse or child abuse and when warranted, taken into protective custody. This form is in addition to any and all Department procedures established for taking the minor child into protective custody (see section 5-02/160.15).

### **5-03/027.00 ADDITIONAL CHARGES AND HOLDS RECORD (SH-CR-435)**

At the time of the prisoner's booking, an Additional Charges and Holds Record (SH-CR-435) shall be completed for all charges that are in addition to the booking charge placed on the booking slip.

The SH-CR-435 shall be completed as indicated in the following outline:

- booking number-7 digit number;
- name (booked as)-name used on booking slip;
- date-date SH-CR-435 is completed;
- time;
- race;
- sex;
- name (on warrant or charge being placed);
- age;
- birth date;
- warrant number-to be used for warrants only (subject to be given a copy of a Warrant Information Sheet (WIS) for each warrant charged);
- court-list court for warrants; list RD or city of occurrence for additional charges;
- date of Issuance-if warrant, date additional charge was placed;
- charge-section number and description of charge;
- bail-Incl. Penalty-to be used for warrants only;
- arraignment-do not complete this section;
- RCD File No.-to be used for additional charges only;
- Unit or agency placing additional charge or hold-LASD (Station);
- signature of officer placing charge or hold; and
- total Bail-including penalty-to be used for warrants only.

If additional charges or holds are placed any time following the initial booking process, the SH-CR-435 will be completed as outlined above, but will additionally have the prisoner's

thumb prints included if any charge/hold is a printable offense.

NOTE: Without the thumb prints, the charge will not be added to the subject's criminal history records (Rap Sheet) at the California Department of Justice (DOJ).

If the prisoner is booked at a Station, the copies of the SH-CR-435 shall be distributed as follows:

#### Prisoner Released at Station

- the original (yellow) is to be stapled to the white copy of the handwritten B&PR;
- the first copy (white) is to be stapled to the blue copy of the handwritten B&PR;
- both sets of copies shall be forwarded with the fingerprint cards to RIB;
- the second copy (gold) of the SH-CR-435 shall be given to the prisoner; and
- photocopies of the booking slip may be made for Station records.

#### Prisoner Transferred to IRC or CRDF

- the original is to be stapled to the white copy of the handwritten B&PR;
- the first copy is to be stapled to the blue copy of the handwritten B&PR;
- the original copies shall be forwarded with the prisoner to IRC or CRDF when transferred;
- the second copy of the SH-CR-435 shall be given to the prisoner;
- IRC or CRDF shall place the white copy of the B&PR and any attachments into the prisoner's jacket;
- the fingerprint cards shall be attached to the blue copy of the B&PR and any attachments (SH-CR-435, computer messages, etc.) shall be forwarded directly from the Station to RIB on a daily basis; and
- photocopies of the B&PR may be made for Station records.

#### Prisoner Transported to LAC/USC Medical Center

When a subject is booked directly into LAC/USC Medical Center, the copies of the SH-CR-435 shall be distributed as follows:

- the original is to be stapled to the white copy of the handwritten B&PR and forwarded to IRC or CRDF;
- the first copy is to be stapled to the blue copy of the handwritten B&PR and forwarded with the fingerprint cards to RIB;
- the second copy shall be given to the prisoner;
- LAC/USC Medical Center shall forward the white copy of the B&PR to IRC or CRDF;

- the fingerprint cards shall be attached to the blue copy of the B&PR and any attachments (SH-CR-435, computer messages, etc.) shall be forwarded directly from the Station to RIB on a daily basis; and
- photocopies of the B&PR may be made for Station records.

If the prisoner is booked directly into IRC or CRDF, the copies of the SH-CR-435 shall be distributed as follows:

- the original is to be stapled to the white copy of the handwritten B&PR and placed in the prisoner's jacket;
- the first copy is to be stapled to the blue copy of the handwritten B&PR and forwarded with the fingerprint cards and any additional documents to RIB;
- the second copy shall be given to the prisoner; and
- photocopies of the B&PR may be made for Station records.

When a prisoner is booked directly into LAC/USC Medical Center, the copies of the SH-CR-435 shall be distributed as follows:

- the original is to be stapled to the white copy of the handwritten B&PR and forwarded to IRC or CRDF;
- the first copy is to be stapled to the blue copy of the handwritten B&PR and forwarded with the fingerprint cards to RIB;
- the second copy shall be given to the prisoner; and
- photocopies of the B&PR may be made for Station records.

### **5-03/027.05 CHARGES AND HOLDS FOR CRIMES COMMITTED BY INMATES IN CUSTODY**

To assure that crimes committed by in-custody and previously booked inmates are added to their arrest histories, complete the SH-CR-435, prepare and distribute as follows:

- the original (yellow) is to be sent to Records and Identification Bureau (RIB) with fingerprints on reverse side.
- Do not rebook. Prepare one 10-print fingerprint card and send with original (yellow) SH-CR-435 to RIB;
- place the first copy (white) in the prisoner's booking jacket; and
- give the second copy (gold) to prisoner.

Three 10-print fingerprint cards are required if prisoner was booked on charge not requiring print cards (refer to section 5-03/050.05).

### **5-03/028.00 BOOKING FEE VOUCHER**

Officers from municipal police departments, school districts and special districts shall be

required to complete a Booking Fee Voucher when booking arrestees at Sheriff's facilities under the conditions specified. Specifically, all arrestees booked on any charge, with the exception of juveniles and those booked solely on a warrant, shall require documentation via the Booking Fee Voucher. Federal, State (including California Highway Patrol) and County agencies are exempted from this requirement.

The Booking Fee Voucher is a three-part form with distribution as follows:

- original (white) to Fiscal Administration;
- copy (pink) to booking agency; and
- copy (yellow) to be retained at the Department's booking facility.

All Station jails, the Inmate Reception Center, Century Regional Detention Center, and the Los Angeles County/USC Medical Center Jail Wards shall submit the original copy of the Booking Fee Voucher to Fiscal Administration by the fifth day of the month following the billing period. These forms should be directed to Fiscal Administration, Sheriff's Headquarters, Attention: Booking Fee Coordinator.

### **5-03/030.00 STATION BOOKING PROCEDURES**

The subsections which follow outline the responsibilities and procedures that are involved in Station bookings. The security and safety of all inmates booked and housed in Station facilities shall be a capital concern of the Department's Station Commanders.

The Department will accept any adult prisoner committed by competent authority at IRC or CRDF. This Department will also accept any prisoners committed by competent authority at any Station, provided that authority has complied with the pertinent procedural sections of this chapter and provided that the receiving Unit has the facilities and personnel available to ensure the safekeeping of the prisoner. The latter shall be determined by the concerned Custody Division Chief or his designated representative.

In cases where the prisoner's safekeeping cannot be assured, the court time cannot be met, or the acceptance of the prisoner would place an unusual hardship on the Station facility, the committing agency will be redirected to IRC or CRDF.

#### **Transfer of prisoners from Station facilities to LCMC, CRDF, and/or IRC**

Prisoners shall be transported to LCMC, IRC, or CRDF with the prior notice to the LCMC, IRC, or CRDF Watch Commander when the prisoners cannot otherwise be released in the following circumstances:

- violent suspects, under the influence of narcotics/drugs, may be transported directly to the LCMC Jail ward;
- when prisoners are suicidal and in need of supervision not available at the Station level;

- when prisoners are sick, injured, or have mental or medical problems and cannot reasonably be kept at the Station;
- when female prisoners who have given birth within the past year and are charged with murder or attempted murder of their infants;
- when prisoners arrested for a felony have special keep-away or safety problems; and/or
- when the number of prisoners has reached or exceeds the Station's maximum bed capacity.

### **5-03/030.03 BOOKING PRISONERS WITH MEDICAL PROBLEMS**

Prisoners who are injured or ill and require medical treatment, or prisoners or detainees who have swallowed narcotics, drugs, or other harmful substances shall be transported to a hospital emergency room or trauma center for medical treatment and booking approval. If booking is approved but reasonable doubt remains as to the prisoner's welfare, the prisoner shall be transported to either Men's Central Jail, Century Regional Detention Facility, or Los Angeles County USC Medical Center as appropriate for the purpose of evaluation and/or monitoring.

### **ALTERNATE BOOKING PROCEDURES FOR SUSPECTS UNDER THE INFLUENCE OF NARCOTICS AND OTHER DRUG-RELATED CHARGES**

To assist patrol personnel in handling extreme cases of intoxication, arrangements have been made with Custody Division for direct bookings into the LCMC Jail Ward. These procedures may apply regardless of the other charges for which the suspect is booked.

The decision to book these suspects directly into LCMC **SHALL BE CAREFULLY WEIGHED** by arresting deputies, and, whenever possible, the **CONCURRENCE OF A FIELD OR STATION SUPERVISOR SHALL BE OBTAINED**. The option of booking suspects who are under the influence of **VARIOUS NARCOTICS AND OTHER DRUGS** directly into LCMC shall only be exercised when the following circumstances exist:

- the suspect's actions MAY consist of outbursts or a constant level of wild, frenzied, unruly, or violent behavior or a state of withdrawal which may be consistent with very quiet behavior or bending over as if about to collapse;
- the suspect represents a continuing danger to himself/herself and others and requires direct and immediate medical attention;
- if it is unlikely that the suspect can be safely booked and controlled at the station; and/or
- seriously Injured suspects will continue to be booked at LCMC. If there is any question as to whether the suspect is seriously injured, the suspect will be taken first to LCMC.

### **Arresting Deputies Responsibility**

When determination is made that a direct booking into LCMC is necessary, the arresting deputies shall advise their station's desk that they are: "10-15 with a narcotic and/or other drug-related arrest and request direct booking at LCMC ETA:\_\_\_\_\_."

### Desk Personnel Responsibility

When advised by a field unit that they are en route to LCMC, desk personnel shall immediately telephone LCMC at (323) 409-4563 and notify them that Unit #\_\_\_\_\_ is en route with a violent narcotics suspect for direct booking, with an ETA of \_\_\_\_\_.

### Booking Procedures – LCMC

- the transporting deputies shall obtain as much booking information as possible prior to arrival and, where possible, use the LiveScan prior to booking;
- they shall proceed to the southeast driveway on Marengo Street. and park in any available space as near to the door as possible;
- when the transporting unit arrives, the suspect will be visually assessed inside the car by the attending nurse and LCMC sergeant for obvious injuries. the suspect will be removed from the radio car by the transporting deputies, under the supervision of the LCMC sergeant. This procedure shall be video recorded;
- before accepting any narcotic and/or alcohol suspect booking for admission, the following procedures shall be followed:
  - the transporting and/or arresting deputies shall remove and take control of all personal property and contraband from the arrestee prior to entering the facility. Personal property includes: Rings, watches, money, etc.;
  - the property will be placed into a plastic bag by the arresting/transporting deputies. Bags will be provided by the hospital/clinic deputies; and
  - in order to maintain the chain of evidence and for control purposes, the arresting/transporting deputies shall be responsible for safeguarding the arrestee's property while inside LCMC;
- once the suspect is fully restrained on a gurney, the transporting deputies will be asked to wait, to take control of the inmates clothing and fingerprinted booking slip. The transporting deputies are not allowed to accompany the inmate to the hospital housing areas. (Transporting deputies shall secure their weapons in the radio car trunk prior to entering the hospital sally port); and
- the booking slip and the property obtained from the suspect shall be processed at LCMC by the arresting deputies.

### Booking Procedures – Juveniles

Juveniles 16 or 17 years of age arrested for under the influence of narcotics or alcohol will often be handled and released at the station level.

Should circumstances preclude disposition at the station level and transportation to another facility is necessary, the following guidelines shall be followed:

- if the juvenile is injured, displays bizarre behavior, or has dangerously elevated blood pressure, he/she should be transported to LCMC for evaluation and possible confinement at that location; and
- if the intoxicated juvenile is oriented as to time and place, able to reply to simple questions, displays passive behavior, and is not injured, he/she may be transported directly to Juvenile Hall.

If there is any question as to the degree of intoxication, a medical clearance (commonly known as an "okay for booking") should be obtained prior to transport to Juvenile Hall. The medical clearance can be obtained at LCMC or any County-approved medical facility.

Juveniles 15 years of age or younger should be transported to the USCMC Emergency Room in lieu of the LCMC Jail Wards.

NOTE: This policy does not affect policy regarding notification to juvenile or Station intercept officers.

#### **5-03/030.05 SEARCH OF SUSPECTS DURING STATION BOOKING PROCEDURE**

Department policy to conduct strip, visual body cavity and physical body cavity searches of suspects, when necessary during Station booking procedures, shall be observed for the welfare and protection of the individual suspect. These searches are defined as follows:

- a strip search is a search which requires a person to remove or arrange some or all of his clothing so as to permit a visual inspection of the underclothing, breasts, buttocks or genitalia;
- a visual body cavity search is the visual inspection of a body cavity; and
- a physical body cavity search is the physical intrusion into a body cavity for the purpose of discovering any object concealed in the body cavity.

NOTE: Body cavity means stomach, rectal and vaginal cavities.

All strip, visual body cavity and physical body cavity searches shall have prior approval of the Watch Commander, who shall closely evaluate the need for same and shall approve or disapprove.

When a request for any of the described searches concerns a suspect or subject arrested for a misdemeanor/infracton, the Watch Commander shall determine if the search is appropriate pursuant to Section 4030 PC.

Section 4030 PC restricts the searching of:

- prearraigned detainees when the detention is for a misdemeanor or infraction offense not involving weapons, controlled substances or violence; and
- minors detained prior to a detention hearing when the offense does not involve weapons, controlled substances or violence.

Exception: When there is reasonable suspicion based on specific and articulable facts to believe such person is concealing a weapon or contraband and a strip or visual body cavity search will result in the discovery of the weapon or contraband.

A person who knowingly and willfully authorizes or conducts a strip, visual or physical body cavity search in violation of 4030 PC is guilty of a misdemeanor.

When authorizing the strip and/or visual body cavity search of a person arrested for a misdemeanor/infraction, the Watch Commander shall complete and sign a Strip Search Authorization Record (SH-R-399) which shall be forwarded to his Unit Commander for review.

All strip and visual body cavity searches shall be conducted in an area of privacy and be conducted by Deputies, Custody Assistants, or matrons of the same sex as the suspect. When necessary, an over the clothes pat-down search for weapons may be conducted by a Deputy of the opposite sex of the suspect in the presence of another Deputy.

Should the visual examination and/or information lead searching personnel to believe a suspect may have contraband secreted within a body cavity, personnel shall keep the suspect under constant observation and advise the Watch Commander, who shall determine if circumstances warrant a physical body cavity search. The Watch Commander shall ensure that a proper search warrant is obtained authorizing the physical intrusion into a body cavity for the purpose of discovering a concealed object, prior to having the physical body cavity search conducted.

The search into any body cavity must be conducted by a physician or other medical person (nurse) at the direction of a physician and only pursuant to a search warrant. The search should be conducted at the appropriate jail hospital under sterile clinical conditions.

Occasionally, a complete strip or visual body cavity search of a recalcitrant female may not be accomplished at a Station. In such instances, the following procedures shall apply:

- adult female:
  - transport and book directly into CRDF. Advise the booking Unit of circumstances; and
  - keep under constant observation during detention at Station;
- juvenile female:
  - arrange for immediate transfer to Central Juvenile Hall or release. Advise admittance Unit of circumstances; and

- keep under constant observation during detention at Station.

Strip Search Authorization Records (SH-R-399) and required body cavity search warrants shall be retained for two years in a separate file at the originating Unit. Upon request, copies shall be provided to the person searched or their designated representative.

### **5-03/030.10 ARRESTING DEPUTY**

The arresting Deputy shall:

- Prepare the B&PR (SH-J-293). Outside agencies using Department's facilities booking a prisoner may photocopy the B&PR for their records;
- A B&PR may be filled out by the Station for informational purposes, and a booking number shall be assigned;
- If more than an original charge exists, prepare the Additional Charges form (SH-CR-435);
- Prepare/initiate Arrested Person's Children Form (SH-R-625);
- Initiate the Voluntary Delayed Release form (SH-AD-692). Complete Section 1-Inmate/Arrestee Information and Section 2-Request. In the event an inmate/arrestee refuses to sign or needs assistance completing the form, the watch sergeant and the Department member releasing the inmate/arrestee shall complete Section 2-Inmate/Arrestee Refusal to Sign.
- Remove all cash from the prisoner;
- Segregate and itemize cash and property;
- Persons arrested for the following must always be booked and fingerprinted: 272, 314, 647(a), 647(d), 647.6 PC, and 11550 H&S Code;
- Obtain the prisoner's right-hand fingerprints, including thumbprint, on the bottom of the front (or first) side of the B&PR;
  - Every reasonable effort shall be made to obtain fingerprints on the station copy of the B&PR. If fingerprints cannot be obtained, the arresting deputy shall write detailed identification, e.g., tattoos, physical deformities, etc., of the prisoner in the space used for fingerprints;
- Place identification band on prisoner's left wrist;
- Ensure that a DNA sample has been collected, if one is required;
- Give prisoner a copy of B&PR and a copy of the additional charge form (if applicable);
- Inform the prisoner of their entitled phone calls;
  - Per 851.5 P.C., Completion of Booking, an arrested person is entitled to complete three free telephone calls within the local calling area or at the arrestee's own expense if outside the local area. The calls may be made to any person and, except where physically impossible, shall be afforded to the prisoner no later than three hours after arrest. If the arrested person is a custodial parent, they are permitted two additional telephone calls to

arrange childcare. The Public Defender's phone number shall be provided;

- Package property (see section 5-03/200.00); and
- Distribute forms as follows:
  - Copy to Watch Sergeant for approval;
  - Copy to be sealed in property bag that is stored;
  - Copy to Records and Identification Bureau, along with the required fingerprint cards, for their records; and
  - Copy to be given to prisoner as receipt for property removed for safekeeping.

The above prescribed booking procedures shall also apply to other agencies, other than this Department, when booking prisoners at a station. The watch sergeant or watch commander's approval for arrest will not be necessary. However, watch sergeants will review and assure that other agencies properly complete the required documents.

### **5-03/030.15 STATION JDIC OPERATOR**

The Station JDIC Operator shall:

- consult Automated Justice Information System (AJIS) Manual for detailed instructions for inputting booking information into the system;
- properly code and enter on the JDIC terminal all information to complete the JDIC entry from the original SH-J-293. AJIS will acknowledge completed booking entry;
- transmit via JDIC any other additional charge messages to IRC or CRDF only if prisoner has left the Station. These messages shall only be sent after the JDIC entry is complete and only if an SH-CR-435 did not accompany the prisoner to IRC/CRDF; and
- return all originals to jailer.

Any time a booking number is requested but the booking is not completed, IRC Watch Commander must be notified within 24 hours.

Certain information can be added or changed on an inmate's information file after the booking is completed by calling the IRC Watch Deputy. If information is changed in the computer, all corresponding paperwork shall also reflect the change.

### **5-03/030.17 BOOKING OF PRISONERS FROM OUTSIDE AGENCIES**

When an officer from an outside agency brings a prisoner to a Sheriff's Station, he shall be responsible for booking the prisoner, using the procedures currently in operation by this Department. Specifically, this means using the Department's B&PR, obtaining a Sheriff's booking number, fingerprinting, applying a clincher ID bracelet to the prisoner,

and packaging the prisoner's property and cash in the manner prescribed in the Department manual.

Prior to beginning the booking process, the officers from the outside agency shall have the necessary documents (warrants, abstracts, etc.), where applicable and have received approval from their supervisors, either in person or by phone, for the arrest and booking. During the booking process, the officers shall also be afforded access to the Station's breath-alcohol testing equipment, provided they have met the instruction requirements of the California State Department of Public Health.

Upon completion of the booking process, the outside agency officer shall summon the Station jailer. The Station jailer shall be responsible for ascertaining that the booking has been done correctly and is complete. The jailer shall not receive the prisoner from the outside agency until the booking is properly completed. When the jailer determines that the booking is in order, he shall receive the prisoner and the prisoner's property from the arresting officers and release the outside agency from further custodial responsibility for the prisoner.

Once the prisoner is in the custody of the Department, the Department's policies and procedures regarding the handling of property, transporting the prisoner and releasing the prisoner shall be followed.

#### **5-03/030.20 CUSTODY TRANSFERS FROM LAPD**

When the Los Angeles Police Department books a prisoner, who is later transferred to a Sheriff's Station, the following procedures shall be adhered to:

- accept prisoner and his property from LAPD;
- ensure that prisoner's property is accounted for; and
- upon arrival at the Station, with the prisoner, change the jail location in the computer.

#### **5-03/035.00 DIRECT BOOKING - IRC/CRDF**

The arresting or transporting Deputy shall:

- complete the B&PR as required by the receiving clerk;
- obtain the prisoner's right-hand flat prints on the reverse side of the B&PR;
- attach commitment papers, warrants and/or abstracts, etc., to the Transmittal Sheet (SH-CR-275) or B&PR for females and deliver to the receiving clerk;
- search prisoner for contraband and remove all property and cash;
- deliver the prisoner and papers to the receiving Deputy;
- return blue copy of the B&PR to Station for records; and
- give clerk court appearance date.

The receiving clerk shall:

- ensure appropriate documentation accompanies the prisoner;
- issue booking numbers;
- time stamp and initial transmittal sheet if prisoner is received in a group or issue a prisoner admittance slip if prisoner is received singly; and
- distribute papers for processing.

The receiving Deputy shall:

- receive the prisoner along with the appropriate documents for booking;
- issue an identification band and start processing of prisoner; and
- permit the prisoner to make phone calls.

The booking clerk shall process the prisoner's booking paperwork in accordance with existing procedures.

#### **5-03/040.00 DIRECT BOOKINGS - JAIL WARDS, LAC/USC MEDICAL CENTER**

The arresting officer shall prepare the B&PR when booking prisoners directly into the LAC/USC Medical Center Jail Wards.

The arresting Deputy shall follow the same procedure as outlined for Station booking (see section 5-03/030.00).

The arresting Deputy shall return the blue Station copy of the B&PR to the Station. In the event that the prisoner was prebooked at the Station (refer to section 5-03/165.15).

Refer to section 5-03/055.00 when a prisoner is unable to complete next-of-kin notification.

#### **5-03/045.00 OUTSIDE AGENCY BOOKINGS ON WARRANTS**

Outside agencies arresting on a local warrant, when court is in session, shall be advised to take the prisoner directly to court for arraignment and/or admittance to bail. If the warrant is out-of-County, the agency shall inform the prisoner, in writing, as required by 821 and 822 PC.

This County or any other County does not have the authority to change the amount of bail set by a court of another County.

Outside agencies booking prisoners with the Department on a warrant arrest when court is not in session will be responsible for the following:

- executing the proper return on the warrant;
- preparing the Arrest Disposition Report (CII-15) and forwarding it to the court of issuance;
- ordering the prisoner's appearance for next court date when arrest is on a local warrant or when requested on an out-of-County warrant; and
- notifying the out-of-County agency of the arrest and if no "holds" are placed or bail is not posted notifying the agency of the prisoner's availability.

The Sheriff's Department, receiving prisoners booked on warrant arrests by outside agencies, shall transport the prisoner to court as directed by the arresting agency and accept bail when offered.

This Department shall also:

- issue a bail receipt;
- release the prisoner;
- execute the appropriate return of the bail and warrant disposition to the issuing court and the originating police agency; and
- when accepted on an out-of-County warrant, notify the issuing agency.

The Sheriff's Department shall be responsible for placing holds against the prisoner and scheduling court appearances. The Department shall notify the agency holding the warrant on an out-of-County warrant of the following:

- non-availability, when local holds are discovered; and
- availability, when local holds have been discharged.

The out-of-County agency has five court days (per 821 and 822 PC) in which to take custody of the prisoner after the expiration of local charges.

## **5-03/050.00 FINGERPRINTING OF PRISONERS**

### **5-03/050.05 PRINTS REQUIRED**

Fingerprint Cards (FBI Form FD-249) shall be required on all adults, and juveniles over the age of 14, arrested and booked for any crime, with or without a warrant. Juveniles under the age of 14 may be fingerprinted at the discretion of the handling detective or jailor. This shall be accomplished as soon as practicable after the prisoner is booked. This includes all offenses except:

- field releases not booked at a detention/holding facility;
- weekenders; and

- Federal prisoners being booked into the jail system while in transit (only prints on the reverse side of the white copy of the booking slip are required).

To have a prisoner's arrest recorded on the California Department of Justice Criminal Record Sheets (Rap Sheet) and the FBI, it is absolutely necessary that the prints be legible and completely rolled; otherwise, they will be rejected and the arrest will not appear in these records.

Whenever practical, fingerprints should be captured on a livescan workstation and electronically transmitted to the Sheriff's Records and Identification Bureau (RIB) for identification. Persons arrested and booked for any offense should not be released until a positive identification message has been received from RIB. In the event a release is imperative, and a positive fingerprint identification message has not been received, the jailer **shall** contact RIB to determine the status of the identification. In those instances when a positive identification cannot be established, and the release is imperative, Watch Sergeant or Watch Commander approval **must** be obtained before the person arrested can be released.

Fingerprint cards shall be reviewed by a Watch Sergeant as soon as practical and prior to a prisoner's release. If a card is found to have defective prints, the jailer shall reprint the prisoner. Failure of the Watch Sergeant to review the cards promptly, however, will not justify delaying a release. Sergeants approving arrestee fingerprint cards shall stamp their approval on the reverse side of the card over the instructions (upper right corner). Cards shall remain at the Station for audit purposes until after the next Station command inspection has been completed. Prisoners must be fingerprinted when additional charges are added to an original charge.

The following information should appear on the livescan cards:

- prisoner's last name, first name, middle name (if no middle name, use the initials 'NMN');
- aliases (AKAs and monikers);
- place of birth (2 character state or country code only - Use "List" key available on the livescan device);
- date of arrest;
- OCA (Booking number only - Do not use the truncated file number);
- Sex;
- race;
- height;
- weight;
- eyes;
- hair;
- date of birth;
- charge(s) (include subsections and complete charge descriptions as indicated in the AJIS Charge Table);
- social security number (if known);

- employer;
- occupation;
- residence (use complete address - i.e., East, West, Street, Avenue, Apt #, City, State and Zip Code);
- scars;
- miscellaneous numbers (state driver's license, state identification card, alien registration card, etc.); and
- medical problems.

Refer to section 5-03/050.10 if the fingerprint cards are to be used for facsimile transmission.

The following information shall be filled in on the reverse side of one fingerprint card only, which is the one RIB will forward to DOJ:

- employer;
- occupation;
- residence;
- scars;
- miscellaneous numbers (driver's license, etc.); and
- medical problems.

If prisoner is charged with Failure to Appear/Comply or Violation of Probation, enter in the charge section of the fingerprint card the original statutory code (and the English language equivalent) and the warrant number.

### **5-03/050.10 PROCEDURES WHEN LIVESCAN SYSTEM IS DOWN**

If the Livescan Network is unable to transmit cards electronically to RIB, a service call shall be initiated via the Livescan Help Desk. If the Help Desk directs the Station to produce local cards, the "local 4" processing option on the livescan device shall be used. This produces four cards at the local site. One fingerprint card per subject only shall be faxed to RIB as soon as possible. RIB will initiate a Cal-ID fingerprint search upon receipt of the facsimile fingerprint card. Upon completion of the fingerprint identification process, RIB will initiate a response message to the originating agency via JDIC.

The three remaining local livescan produced fingerprint cards and the JDIC facsimile transmission response message shall be attached, with one staple, to RIB's copy (blue) of the B&PR and forwarded to RIB daily.

NOTE: THE FOLLOWING APPLIES TO THE INKED CARDS ONLY:

If the Station's livescan system is not functioning, a service call via the Livescan Help Desk shall be initiated. If it is necessary to produce inked cards, three cards shall be rolled.

Whenever inked fingerprint cards are produced, the number of fingerprint cards required to be produced locally are:

- Sheriff's Arrest - Three fingerprint cards;
- LAPD Arrests – None; or
- all Other Agencies' Arrests (CHP, other police department, court bookings, etc.) - Three fingerprint cards.

It shall be the responsibility of the Station jailer to select the highest quality card from the three required inked fingerprint cards for facsimile transmission. Station jailers shall also ensure that Sheriff's Station clerks complete a name search via JDIC terminal, making every effort to confirm the arrestee's identity and obtain any existing CII number prior to facsimile transmission of a fingerprint card. Any known or suspected CII number shall be written in pencil in the upper right-hand box marked "leave blank" prior to the transmission. The following data shall be filled out on the single selected card for the fingerprint identification search prior to transmitting:

- prisoner's last name, first name and middle name (if no middle name, use the initials "NMN");
- aliases (AKAs and monikers);
- place of birth (two character state or a country code only; use "List" key available on the livescan device);
- date of arrest;
- OCA (Booking number only - Do not use the truncated file number);
- sex;
- race;
- height;
- weight;
- eyes;
- hair;
- date of birth;
- charge(s) (include subsection complete charge descriptions as indicated in the AJIS Charge Table); and
- social security number (if known).

The following information shall be filled in on the reverse side of the one fingerprint card only, which is the one RIB will forward to DOJ:

- employer;
- occupation;
- residence (use complete address - i.e., East, West, Street, Avenue, Apt #, City, State and Zip Code);
- scars;

- miscellaneous numbers (state drivers' license, state identification card, alien registration card, etc.); and
- medical problems.

The two remaining fingerprint cards shall contain the following information on the front of the cards:

- prisoner's last name, first name, middle name (printed in ink or typed);
- prisoner's signature;
- date the fingerprints are taken (not date of arrest). Leave the section marked "Date Arrested or Received DOA" blank. The date the fingerprints are taken is to be entered in the section marked "Date;"
- signature and employee number of official taking fingerprints; and
- place the booking number in the section marked "Your OCA."

Leave all other spaces blank. Do not write in charges, charge descriptions, physical descriptions or date arrested. The Records and Identification Bureau (RIB) will type in all other information from the B&PR.

The Records and Identification Bureau shall respond to each facsimile transmission, via JDIC, with the CII number and "true name" of the prisoner or notification that the prisoner is new to the California Criminal History File. Fingerprint verification for arrestees whose identity and CII numbers were established by booking Stations will be conducted upon receipt of fingerprint cards forwarded to RIB. Fingerprint cards transmitted via the facsimile machine shall be forwarded (with copies of the B&PR and the JDIC Facsimile Transmission response message) to RIB daily.

When RIB responds via JDIC that the prints are unusable (e.g., dark, light, smeared, poorly centered, etc.) and rerolling and resending is necessary, it is the responsibility of the jailer to ensure that acceptable fingerprints are submitted in a timely manner.

CII numbers for prisoners new to the California Criminal History File will be assigned by RIB after receipt of the original fingerprint cards.

### **5-03/055.00 TELEPHONE CALLS**

851.5 PC and/or 627 WIC gives any arrested or detained person (adult or juvenile) the right to complete at least three telephone calls. By court decision, these sections shall be "construed broadly and permissively." Except where physically impossible, the calls shall be completed no later than three hours after an arrest or detention.

In addition, 851.5 PC gives an arrested or detained person who is the parent or guardian of a minor child the right to complete two additional telephone calls to make arrangements for care of the minor child.

Each Sheriff's Station shall have a sign printed in English and Spanish displayed in the booking/detention area that states:

- the prisoner's right is to complete three phone calls. The calls are free if within local dialing area;
- the prisoner is allowed a fourth call to the bail commissioner to inquire about bail reduction or an Own Recognizance (OR) release;
- the Bail Commissioner's phone number and office hours; and
- the phone number to the local Public Defender's office.

In addition to the above printed sign, each Sheriff's Station shall have a sign in English and Spanish which advises the prisoner that they are entitled to two additional phone calls if they are the parent or guardian of a minor child and need to make arrangements for care of the minor child.

General procedures for implementing these sections are as follows:

- if the call does not satisfy the intent for which it was made, the prisoner shall be granted an additional call(s) in order to obtain bail, an attorney, a physician or to notify family, employer or friend;
- if he so desires, a person arrested on a charge of intoxication shall be permitted one additional call at his own expense to obtain a physician to take a blood sample;
- the three calls shall be at no expense to the arrestee or the person receiving the call if the calls are completed to numbers within the local calling area. "Collect" calls are not considered free calls. If the arrestee wishes to call someone outside the local calling area, the call must be either made at the arrestee's expense or the charges must be reversed to the person called (e.g., a "collect" call);
- additional phone calls may be granted at the discretion of the Watch Commander;
- the Public Defender's phone number shall be provided to the arrestee;
- if any act which constitutes a new booking is performed, the prisoner shall be permitted two additional telephone calls as outlined above;
- per 810 PC, the arrestee is permitted to make a fourth call to the Bail Commissioner or a magistrate. This call allows the arrestee to inquire about a bail reduction or OR release. This fourth call does not count as one of the three calls the arrestee is already entitled to; and
- if, upon questioning during the booking process, the arrested person is identified as a custodial parent with responsibility for a minor child, the arrested person shall be entitled to make two additional calls at no expense if the calls are completed to telephone numbers within the local calling area to a relative or other person for the purpose of arranging for the care of the minor child or children in the parent's absence.

Prisoners shall be permitted the required calls whether they are booked at a Station, at IRC or CRDF or are remanded to custody at court.

It shall be the responsibility of the officer in charge of the jail to permit the prisoner to make the required telephone calls. The calls may be completed before, during or immediately after the booking process is finished. If the prisoner is physically unable to make a telephone call within the three-hour time limit, arrangements shall be made for the call(s) to be completed as soon as the prisoner is able.

If it is determined that, due to serious illness/injury, the prisoner will be unable to make a telephone call for an indefinite time, in excess of the three-hour limit, known local next-of-kin notification shall be completed by the Department member making the determination. The employee shall sign his name, employee number and the date on the B&PR indicating he has made the telephone call for the prisoner.

If a prisoner becomes ill while in transit by the Court Services Transportation Bureau and is confined in a local hospital, it shall be the responsibility of the Court Service Transportation Bureau to enter the information on the prisoner transmittal sheet in the absence of a B&PR.

### **5-03/055.05 BAIL DEVIATION**

When an arrestee is booked at a patrol Station, the Inmate Reception Center, or Century Regional Detention Center, a "Bail Deviation Form" (SH-R-440) must be completed by the arresting Deputy/officer and the original must be included in the Station or agency booking packet. A "Bail Review" handout card (SH-R-439) shall be given to the arrestee, who shall be given an opportunity to call the bail commissioner. When arrestees are booked directly at the Inmate Reception Center or Century Regional Detention Facility, a photocopy of the "Bail Deviation Form" (SH-R-440) shall be provided for inclusion in the booking documents. When the bail commissioner's office is closed, the phone call requirement is not applicable for direct bookings at the Inmate Reception Center or Century Regional Detention Facility.

The "Bail Deviation Form" should include any statements regarding consideration for bail deviation. The jailer should consult this form if contacted by the bail commissioner. The Bail Deviation Unit may increase as well as decrease an arrestee's bail.

Written documentation must be retained at each Station indicating the date and time an inmate completes or attempts to complete a call to the bail commissioner. The Unit Commander is responsible for implementing procedures for recording and maintaining written documentation of calls made to the bail commissioner.

Custody Division facilities/operations are exempt from this requirement.

Bail deviation records shall be reviewed and the findings (percentage of compliance) shall be included in the Station's inspection summary.

Records shall be maintained at the Station for two years.

## **5-03/060.00 INTERVIEWS WITH PRISONERS**

The subsections which follow outline the regulations and procedures which govern interviews with prisoners.

It is the policy of this Department to provide the most expedient method of communications between persons in custody of this Department and their attorneys or other persons attempting to secure their release.

Such communications are privileged and shall be subject to only the minimal restrictions required to maintain adequate security.

## **5-03/060.05 INTERVIEWS AT COURT LOCKUPS**

Legal requirements must be met when bondsmen and attorneys request interviews; however, officer safety and prisoner security shall not be compromised. Prisoner interviews by attorneys and bondsmen may be conducted subject to the following restrictions:

- an accredited attorney may interview a prisoner any time during the first 24 hours; thereafter, only during posted hours;
- a bondsman may interview a prisoner any time after bail has been set or after a change in the disposition of the charge resulting in a change of bail;
- the interview shall allow as much privacy as space limitations and security requirements permit;
- no time limit can be imposed on the length of the interview; however, it shall be permissible to request the cooperation of the attorney or bondsman in conducting their business as soon as possible;
- attorneys are permitted to give their client one business card, and bondsmen are not permitted to give a business card;
- bondsmen with proper credentials shall not be denied an interview at any Court Services Transportation Bureau lockup;
- bondsmen or their representatives requesting an interview shall present a valid Sheriff's Department pass before being allowed to interview a prisoner. Passes may be obtained at Men's Central Jail, Room 1014;
- the Deputy shall determine the proper level of security needed based on the physical layout of the lockup, the type of prisoner to be interviewed and his work requirements at the time of the interview. If necessary, delay the interview until backup can be secured from a nearby court or a supervisor; and
- at lockups without secure interview rooms where the interview involves a highly dangerous prisoner and there is advance knowledge that bail will be set, ask the District Attorney to request that the judge order bondsmen interviews be conducted at Men's Central Jail.

A prisoner has the right to accept or to refuse an interview at any time, even after requesting the service himself. When a prisoner refuses an interview, the attorney or bondsman involved shall be notified. Such refusal involves no obligations to the attorney or bondsman, either on the part of the prisoner or the Department. Whether he accepts or refuses the interview, the prisoner shall complete the appropriate portion of the Attorney or Bondsman Interview Request Form.

An attorney or bondsman may request that additional person(s) be permitted to participate in an interview with a prisoner. The Deputy receiving this request shall notify the Watch Commander, who shall approve or deny the request and sign the "Interview Record."

### Persons Permitted to Interview at Custodial Facilities

The following persons, possessing suitable identification or in possession of a valid Department pass, may interview a prisoner at any jail or detention facility:

- attorneys at law - attorneys may request to bring in a maximum of two additional persons necessary for preparation of the case;
- bail bondsmen - bail bondsmen may bring in a maximum of two additional persons necessary to complete the bail arrangements;
- full-time compensated investigators employed by:
  - State agencies;
  - City agencies;
  - County agencies;
  - Federal agencies; or
  - Armed Services Investigators;
- diplomatic representative of foreign nations, including consuls, envoys, etc.;
- persons in possession of a valid Sheriff's Department or Los Angeles Police Department Press Pass (see section 5-03/060.10);
- any physician and/or surgeon, including any psychiatrist licensed to practice in this state, who is employed by the prisoner or his attorney to assist in the preparation of the defense;
- any person who has received authorization of the facility Watch Commander;
- persons designated by the Los Angeles Superior Court as pro-per runners;
  - pro-per witnesses will be permitted to visit in the visiting room during regular visiting hours;
- notary public - when requested by an inmate for purpose of notarizing legal documents.

No photographs shall be taken in the attorney room without the permission of the Watch Commander, but tape recorders are allowed in this room.

### Attorney Room Procedures at Custodial Facilities

The following measures are necessary prior to, during, and immediately following an attorney room visit:

- private interview booths;
  - use will be extended to attorneys and police officers upon request. Use will be subject to availability;
  - no other person may accompany the attorney or police officer without the Watch Commander's approval; and
  - upon conclusion of the interview, the inmate involved will be subjected to a security search;
- attorney room and booths;
  - no physical contact between the inmate and the interviewer; and
  - if a Deputy believes it necessary, he may examine papers being passed between the attorney and the inmate to ascertain that they do not contain contraband.

The following classes of individuals must secure clearance from the Watch Commander prior to entering the attorney room:

- ex-felons, (must have a letter from the concerned Division Chief allowing the ex-felon to enter the property, per the Penal Code);
- persons under 18 years of age; and
- former inmates released from the Los Angeles County Jail system within the past 30 days.

Attorneys who request to bring any of the above listed persons into the attorney room shall record the reason on the reverse side of the "Interview Record" (SH-J-9).

#### Attorney and Bondsman Requests at Stations

The Deputy receiving a request to interview a prisoner shall handle the interview request in the following manner:

- the attorney or bondsman must complete the appropriate part of the "Interview Record" (SH-CR-276);
- authorization shall then be obtained from the Watch Commander. When the situation warrants, the Watch Commander shall immediately notify the follow-up investigator of the pending interview;
- the prisoner shall sign the appropriate part of the Interview Record indicating acceptance or refusal of the interview;
- conduct the interview or inform the attorney or bondsman that the prisoner has refused to accept the interview;
- the supervising Deputy shall completed the Interview Record after the interview has terminated and return the completed copy to the Watch Sergeant;
- the completed copy of the Interview Record shall be retained at the Unit; and
- Bail must be set on felony charges before bondsman can interview.

## **5-03/060.10 NEWS MEDIA INTERVIEW REQUESTS**

All news media requests to interview a prisoner must be authorized by the concerned Custody Division Chief. The decision to grant or deny the interview will depend on a variety of circumstances, and each request shall be carefully scrutinized. Interviews shall be granted only if the safety of all inmates and the security of the jail will not be compromised.

The media representative must be from a bonafide news gathering agency and possess valid identification. Sheriff's Headquarters Bureau shall coordinate all news media interviews that take place in any Department Custody Facility, Station or Court Lockup. News media interviews shall not be granted for:

- prisoners who have not been arraigned. This applies to all prisoners confined at a Department Custody Facility, Station or Court Lockup. Any exception to this policy will require a court order;
- prisoners suffering from mental disorders or undergoing court ordered psychiatric evaluations;
- Federal prisoners, including media information and/or photographs, which are prohibited without the written approval of the U.S. Marshal; and
- prisoners at a Department Court Lockup without the approval of the Chief of Court Services Division or his designated Area Commander.

The officer handling the request shall complete a News Media Interview Record (SH-CR-550) and shall inform the concerned prisoner, in private, through an interpreter if necessary, of the request for an interview. The SH-CR-550 shall be checked and signed by the prisoner indicating an understanding of his constitutional rights and acceptance or refusal of the interview.

If the prisoner:

- refuses the interview, the requesting news media shall be so notified;
- refuses an interview, he shall be requested to sign or indicate refusal of the interview on the News Media Interview Record (SH-CR-550);
- requests consultation with his attorney prior to granting approval for an interview, or wishes his attorney to be present during the interview, the Unit Watch Commander shall provide the inmate with the opportunity to contact the attorney of record; and/or
- is represented by the L.A. County Public Defender's Office, it shall be noted on the SH-CR-550. It is the policy of the Public Defender's Office that their clients shall not give media interviews. If the prisoner insists on the interview, the Watch Commander shall call the Chief of Central Superior Court Trials Division, Public Defender's Office, at (213) 974-2901, who will arrange for a public defender to

represent the prisoner at the interview. The news media representative shall be advised of Public Defender requirements;

- if the Public Defender's Office is closed or permission cannot be obtained, the interview shall be denied.

News media interviews shall take place in a security area designated by the Unit Commander. Sworn personnel shall be present; however, they shall not participate in the interview.

### Recording Devices

News media recording devices, including tape recorders, television cameras and still cameras shall not be allowed inside security areas. Any exception to this policy requires the approval of the Chief of concerned Custody Division or his designated Area Commander. General or random filming of prisoners shall not be permitted.

News media personnel wishing to enter custody security areas at a Sheriff's facility for the purpose of recording or filming, in any form, for any reason other than a prisoner interview requires the Sheriff's approval via Media Liaison Section of Sheriff's Headquarters Bureau. Advance notification of not less than two business days is required for approval.

News media Interview Records shall be maintained at the originating Unit for two years.

### **5-03/060.15 VISITS BY DIPLOMATIC AND CONSULAR OFFICIALS**

Diplomatic and consular officials shall be entitled to unlimited visitation rights when a foreign nationalist that they represent is in the custody of the Sheriff.

The inmate shall not be charged with a personal visit, as these shall be considered as a legal/business visit.

### **5-03/065.00 LINEUP PROCEDURE**

All lineups conducted by the Department or in Department facilities shall be conducted by members of the Men's Central Jail Lineup Detail.

Investigators desiring a lineup should notify the Men's Central Jail Lineup Detail as far in advance as possible and be prepared to furnish a complete description of the suspect.

Men's Central Jail Lineup Detail shall prepare and maintain for distribution to concerned persons and agencies a printed booklet entitled "Guide to the Conduct of Lineups." This booklet shall be revised and reprinted as necessary to reflect changes in the law and Department procedures regarding lineups. Revisions to this booklet shall be made only after obtaining the approval of the Divisions affected by the proposed change.

### **5-03/070.00 COURT LIST**

Station Watch Commanders shall send, via JDIC, "Court List" or "No Court List" messages to IRC (for males) and CRDF (for females), with the following information:

- names of inmates who have been or are being sent to IRC/CRDF and are to be sent to court;
- "No Court List" messages shall advise that no inmates are ordered for court; and
- court appearance information on Station booked inmates by non-Station details shall be included only at the request of the detail.

Two court lists are required each evening preceding a day on which court will be in session. The first court list shall be sent at 1800 hours and the second at 0100 hours. The 0100 hours lists that are sent to IRC/CRDF shall contain the names of those inmates not previously ordered who are scheduled for court that day.

Court lists received after 0130 hours will result in the inmate not appearing in court, an over-detention and/or an imperative release. Special messages sent after 0100 hours of the actual court day must be restricted to urgent requests, as special transportation, if available, must be arranged to get the inmate to court.

Court list messages sent to IRC/CRDF shall contain the following:

- standard abbreviations for courts and Stations;
- Station identification repeated each time a different court and/or time of appearance is indicated;
- inmates' names (last name first) shall be grouped under court and time of appearance;
- the listing shall be by booking number, prisoner's name, purpose of appearance and the charge. The lists may be in random order;
- the message shall contain the jailer's name, the secretary's initials and the Station Unit designation number; and
- the "No Court List" message sent to IRC/CRDF shall also contain the above identifying information.

Court lists shall be filed at the Unit and retained for six months.

### **5-03/075.00 CLASSIFICATION AND PLACEMENT**

The policy and procedure governing the classification and authority to require labor from an inmate is 4017 PC, which states that all sentenced persons confined in the County Jail, Industrial Farm or Road Camp may be required by an Order of the Board of Supervisors to perform labor on the public works or ways in the County.

The Inmate Classification Program shall be the function of the Inmate Classification and Placement Detail (ICPD). This detail is established by the Custody Services Division, and shall:

- be supervised by the IRC Captain; and
- consist of persons designated by the following:
  - Sheriff;
  - Undersheriff;
  - Assistant Sheriff responsible for the Custody Operations;
  - Chief, Custody Services Division, General Population; and
  - Chief, Custody Services Division, Specialized Programs.

The purpose of ICPD is to interview and classify sentenced inmates and to compile sufficient information on each inmate to properly assign the inmate to a facility based on the following criteria:

- inmate custody level;
- facility security level; and/or
- facility and inmate needs. It is the policy of the Department that each physically and mentally able inmate be placed in a productive job to the end that good work habits are acquired and that opportunities are available to participate in educational and/or vocational classes for self-improvement.

### **5-03/080.00 TRUSTIES**

General orders and instructions for trusties shall include the following:

- trusties shall keep self and quarters in a neat and clean condition;
- trusties shall bathe, shave daily and keep hair in a neat, well groomed manner;
- fraternization between a trusty and personnel shall not be tolerated;
- trusties' conduct and actions shall not degrade or threaten the Department's policy or personnel;
- Station trusties will be allowed to possess cash. The Station, assigned a trusty, is responsible for retrieving cash from the trusty's account. In all cases where the trusty is returned to Custody Division, all the trusty's cash will be confiscated at the Station and deposited to the trusty's account at the Inmate Reception Center. If the trusty is called to court, the assigned Station is responsible for storing the cash or depositing the money to the trusty's account at the Inmate Reception Center;
- business transactions shall be conducted with consent of the Station Commander. The following exceptions are permitted:
  - car wash and polish;
  - tire change; and
  - shoeshine,

- escape, 4532 PC, shall be charged when any trusty leaves the property or confines of the facility to which he is assigned unless accompanied by a Deputy,
- trusties shall neither drive, nor shall they have keys in their possession for any County or privately owned vehicle;
- Station trusties or any other trusty shall not engage or have in their possession any gambling paraphernalia. They shall not use or have in their possession any form of narcotics, drugs or alcohol. Noncompliance of any of the aforementioned rules and regulations shall result in immediate return to the County Jail and the necessary legal action taken; and
- trusties shall be fed on the premise of the Unit to which they are assigned. Emergent events wherein this must be violated shall be approved by the Area Commander.

Trusties are assigned to work at Stations for the purpose of performing certain maintenance and custodial duties. To assist in the supervision of these trusties and to standardize the regulations and procedures for all facilities, the following shall apply:

- the workload shall be divided as equally as possible;
- trusties shall be held responsible for duty assignments as well as other duties assigned in addition to normal work schedule;
- new trusties shall be acquainted with duties and regulations; and
- chain of supervision, in descending order, shall be as follows:
  - Unit Commander;
  - Watch Commander;
  - Sergeant;
  - Deputy; and
  - Law Enforcement Technician.

### **5-03/083.00 INMATES WORKING FOR OTHER DEPARTMENTS**

Legal responsibility for inmate custody and supervision belongs to the Sheriff; however, section 25359 of the Government Code states that the Sheriff may direct inmates to work under the direction of paid personnel from the Fire Department, Department of Public Works (e.g., Road Maintenance, Flood Control District) and Internal Services Department. Inmates from Custody Division are regularly assigned to work under the direction of Fire Department and Road Maintenance personnel and, occasionally, inmates may be requested to perform special tasks for other departments.

Each new request to perform work for other than Fire Department and Road Maintenance shall be in writing and shall be evaluated on its own merit. A Custody Division representative shall review the working conditions to ensure that inmates are not put into perilous or hazardous positions.

The evaluating Sergeant shall attach an SH-AD-131, memorandum, to the request, indicating his recommendations, and forward it to the concerned Custody Division

headquarters for approval/disapproval.

### **5-03/085.00 DISCIPLINARY INCIDENTS**

The Chiefs of the Custody Services Divisions shall be responsible for issuing rules and procedures concerning all inmate disciplinary action. They shall:

- review information pertaining to disciplinary offenses involving inmates;
- conduct interviews at his discretion; and
- assign appropriate disciplinary action.

IRC/CRDF shall compute new release date and disseminate via closed jail circuit.

### **5-03/090.00 BAIL/FINE PAYMENTS - ACCEPTANCE AND PROCESS OF**

The subsections which follow establish procedures for the processing of cash, cashiers checks and surety bonds accepted in payment of bail or fines.

#### **5-03/090.05 FINES - AUTHORITY TO ACCEPT**

Any Station, IRC or CRDF shall accept fines for inmates housed at any Department facility. Due to the complexity involved in computing fines, only the bails and fines clerks at CRDF and IRC shall ascertain the amount required to satisfy the fine.

Station jailers will accept fines for inmates housed at any Department facility. They shall, in all cases, contact the bails and fines clerks at IRC or CRDF, who shall compute the amount of the fine. Upon telephonic notification from the bails and fines clerk, the jailer will accept the fine and issue a receipt. The jailer shall then send a JDIC message to IRC or CRDF with the following information:

- indicate fine has been paid;
- total amount of the fine; and
- inmate's name and booking number.

The inmate shall only be released when IRC or CRDF receives the JDIC message. If the inmate is housed at an outlying facility, the bails and fines clerk should consider transportation time in computing the fine, as the inmate may not be released until the next day.

#### **5-03/090.10 BAIL AND SURETY BONDS - AUTHORITY TO ACCEPT**

Section 1269b of the Penal Code authorizes the officer in charge of a jail, wherein an

arrested person is held in custody, to:

- approve and accept bail, in cash or surety bonds;
  - in such amount as fixed by the warrant of arrest;
  - schedule of bail or; and
  - order admitting to bail;
- issue and sign an authorization for the release of the arrested person. Upon release, advise Records and Identification Bureau via JDIC of the warrant and bail receipt numbers;
- set a time and place for the appearance of the arrested person before the appropriate court and give notice thereof;
  - on warrant arrests issued by a court in Los Angeles County, set court appearance for not more than five court days after such release on bail;
  - on warrant arrests issued by a court outside Los Angeles County, set court appearance for not more than 25 days (per 821 and 822 PC) after such release on bail; and
  - for bail releases based on the current "Bail Schedule," the releasing officer shall set the date of court appearance in accordance with the standard schedule of appearance;
- on out-of-County warrants on which a defendant was arrested as a result of a felony or misdemeanor warrant issued by another County, bail shall be accepted in the amount set on the warrant by the issuing court. The defendant shall be notified in writing of his right to bail or appearance before a magistrate and the notification indicated on the warrant--e.g., bail refused or bail posted; and
- upon posting such bail, the defendant or arrested person shall be discharged from custody as to the offense on which the bail has been posted.

See section 5-03/090.25 for Integrated Bail Procedures.

### **5-03/090.15 CASH BAIL OFFERED BY ARRESTEE OR AGENT - PROVISIONS**

When cash bail is offered by an arrestee or agent for release, the jailer shall:

- determine the amount of bail from the warrant, order of commitment or schedule of bail, as indicated by the circumstances;
- ensure that the arrestee has been fingerprinted as required by law;
- ensure that the arrestee has been "run" via JDIC for a record check;
- if any "wants" are reported, the matter shall be referred to the Watch Commander for decision; and
- when additional charges are booked against the arrestee, the arrestee shall be so informed and additional phone calls permitted for the arrestee to secure bail;
- accept the bail from the arrestee or agent;
- when an agent of the arrestee offers partial bail and the arrestee will pay the balance, accept the partial bail and deposit it to the prisoner's account prior to proceeding with self-payout;

- release the arrestee immediately when he posts cash bail and comprehends his obligation to appear in court on the appointed day and time;
- there may be circumstances that will justify delaying the release after acceptance of bail of an intoxicated person.

If intoxicated, the arrestee shall still be admitted to bail immediately when personally posting cash bail; however, his actual release time would be dependent upon his conduct and his ability to clearly comprehend his court obligation.

If bail is posted by a responsible person and it is obvious that this person will be unable to control the arrestee due to the arrestee's belligerent attitude and disorderly conduct, the release may be delayed. Release and rearrest is not the intent, nor shall an unwarranted delay in release be permitted.

Questionable releases shall be handled at the discretion of the Watch Commander.

### **5-03/090.20 CASH BAIL/FINE PAYMENTS**

Cash bail/fine payments shall be accepted and receipted for via the Bail/Fine Receipt SH-AD-462, revised 6/94. Within one work day, the collected money shall be deposited into the bail/fine bank account maintained with Bank of America.

Bail/fine receipts shall be obtained from the bail/fine clerk, Fiscal Administration. In case of emergency, receipts may be obtained from IRC, CRDF or any Station. When this occurs, the Unit borrowing shall make immediate notification to the bail/fine clerk.

Bail/fine deposit slips shall be obtained from the bail/fine clerk, Fiscal Administration. The deposit slip is coded with depositor identifier, i.e., Unit fund/org code.

Voided receipts - When a receipt is mutilated or a mistake is made while completing it, the original and all copies shall be marked "VOID". The voided receipt shall be signed by the Watch Commander with an explanation as to why the receipt was voided. All copies of the voided receipt shall be sent to the bail/fine clerk, Fiscal Administration. A photocopy of the voided receipt shall be made and retained at the Unit for audit purposes.

Lost receipts - If a receipt is lost, a memorandum listing the receipt number and a reason or explanation for the loss shall be prepared and signed by the Unit Commander and immediately sent to the bail/fine clerk, Fiscal Administration.

Fiscal Administration shall issue specific processing procedures.

### **5-03/090.25 INTEGRATED BAIL SYSTEM (LASD-LAPD)**

Bail deposit in the form of cash or surety bond shall be accepted for the release of an

arrestee detained on a charge at any Station or facility and for an inmate in custody in any other Station or facility, both intra-Department and interdepartment, with LAPD.

The following procedure will be employed to effect a bail release:

- determine the location of custody;
  - LASD
  - LAPD
- send a JDIC message or telephone request for bail information;
  - LASD - Custodial Jailer; or
  - LAPD - Custodial Jailer;
- the detaining agency will respond, via JDIC, with the following:
  - all bail information; and
  - all court information;
- the requestor will quote the bail and accept if submitted;
- the bail-receiving Unit will send an "Authorization to Release," via JDIC, to the detaining Unit; and
- the detaining Unit will update AJIS computer and notify the bail-receiving Unit upon release of the inmate.

In the event that a prisoner is not released after bail or bond has been posted, due to extenuating circumstances, it shall be the responsibility of the releasing agency to notify the bail-receiving Unit. The Station holding a bail/bond on an inmate that has not been answered in two hours, should call the IRC/CRDF bail/bond desk. It will then be determined if the clerk did, in fact, receive the notification of bail and if so, why it has taken beyond two hours to be answered.

Writs or felony "Orders for Release" must be served on the Department having custody of the prisoner and are to be processed in accordance with each Department's existing policies.

### **5-03/090.30 ARRESTEE DETAINED AT STATION - BAIL POSTED AT IRC/CRDF**

An arrestee detained at a Station shall be released from custody upon the receipt of an "Authorization for Release," via JDIC, when bail has been posted at IRC/CRDF.

The Station jailer, upon receipt of this authorization, shall follow the procedures outlined under section 5-03/125.00.

### **5-03/090.35 STATION BAIL INFORMATION RECORD**

A record of all releases on bail, when bail has been paid at the Station, shall be maintained by the Station jailer on the Jailer's Record Form (SH-CR-452).

#### **5-03/090.40 STATION RESPONSIBILITY FOR CASH PRIOR TO DEPOSIT**

On a given shift, the jailer shall be responsible for:

- receipting and handling of all cash bail accepted;
- entering the record of cash bail only on the Jailer's Record Form (SH-CR-452) and maintaining a running balance of the cash bail received; and
- maintaining under lock and key the cash and related bail forms.

At change of shift, the jailer going off duty and the relieving jailer coming on duty shall jointly reconcile the cash on hand with the balance to date figure on the SH-CR-452.

If there is an overage or shortage, the procedures outlined in the following subsection shall be followed.

The outgoing jailer shall turn over the key to the locked cash bail container to the incoming jailer. The container shall remain locked except when opened to add additional bail.

On the next working day on which the banks are open, the jailer on the day shift shall prepare the bank deposit for the Bail/Fine Bank Account (see Fiscal chapter). On the next open line of the bail information portion of the SH-CR-452, he shall make a notation of the date and amount deposited and sign his name following the deposit entry. A new running balance on SH-CR-452 shall begin following the deposit entry.

#### **5-03/090.45 BAIL SHORTAGES/OVERAGES**

If there is a discrepancy (shortage or overage), the outgoing jailer shall immediately notify his Watch Commander, who shall assist the two jailers in determining the reason for the discrepancy.

If a shortage still results, the Watch Commander shall:

- prepare an original and one copy of a Memorandum on SH-AD-131 under the subject "Shortage-Bail/Fine Bank Account," indicating the amount of the shortage and receipt numbers involved. The memoranda shall remain under lock and key with the cash and related bail forms;
- prepare a SH-AD-32A from the Station Commander to the concerned Division Chief detailing the circumstances of the shortage; and
- prepare a SH-R-49 under the classification of "Lost Property."

The Station Commander shall submit the original and two copies of the "Lost Property" URN report and the original and one copy of the SH-AD-32A to the concerned Division Chief who, in turn, will forward this material to Fiscal Administration, who will prepare the necessary reports to the Auditor-Controller. Under no circumstances will the deposit be

postponed.

If an overage results, the Watch Commander shall prepare a Memorandum (SH-AD-131), in duplicate, under the subject of "Overage-Bail/Fine Bank Account" and give the amount of the overage and the receipt numbers involved. The overage money shall be placed in a money envelope and properly identified. The Watch Commander shall seal the envelope and place it with the memorandum copies in the safe pending the next deposit to the Miscellaneous Fees Bank Account (see Fiscal chapter). Bail/Fine overage money must be deposited to this account since the only method of withdrawal from the Bail/Fine Bank Account is by means of the checks issued to the courts.

The original of the overage memorandum shall be attached to the back of the weekly report, Transmittal of Miscellaneous Fees (SH-AD-359), and the amount of the overage entered on the form itself. The other copy shall be attached to the Station records of the transaction.

#### **5-03/090.55 IRC/CRDF PROCEDURES FOR PROCESSING CASH BAIL AND FINES**

IRC/CRDF cashiers shall follow the same procedures as do Stations in the acceptance of bail, with the following exceptions:

- IRC/CRDF shall collect fines as well as bail. The appropriate block on the receipt portion of the formset shall be checked to indicate whether the payment is for bail or for a fine. Sentence computation, if applicable, shall be shown in the space provided; and
- the receipt portion of the formset shall be validated on the National Cash Register (NCR) machine.

On releases, the Deputy to whom a bail or fine payment is offered shall prepare the Bail or Fine Slip Form (SH-J-275) to obtain clearance for the acceptance of the bail or fine. The form shall be processed in accordance with current procedures.

IRC/CRDF cashier's overages shall be written up on the Cashier's Report or Receipt Form (76C111) and copies shall be processed as usual to Fiscal Administration, Treasurer and Auditor-Controller and a copy retained for the cashier's file. The Cash Difference or Overage Report Form (76C109) shall also be prepared and distributed in accordance with current procedures.

#### **5-03/090.60 SURETY BOND PROCEDURES - STATIONS AND IRC/CRDF**

Procedures for the acceptance of surety bonds are as follows:

- the jailer/cashier to whom a surety bond is offered for bail shall adhere to the same procedures for the acceptance of cash bail;

- a separate surety bond shall be required for each case when there is more than one case against the prisoner;
- the bondsman shall complete the upper portion of the Surety Bond Request for Release of Prisoner (SH-J-268), in triplicate. Stations with a bondsman requesting a copy of the Surety Bond Request may prepare an extra copy of SH-J-268;
  - all bail bonds must be presented by a licensed bail agent, in person, at any jail facility within the County of Los Angeles. At the time of presentation of the bail bond, the licensed agent must also present the following items for inspection:
    - the bail agent's identification card;
    - a photocopy of the State license for that bail agent; and
    - if that bail agent's license has expired, a copy of proof that the bail agent has applied and paid for a renewal of his or her bail agent's license; and the application is pending with the State of California, Department of Insurance;
- the jailer/cashier to whom the bond is offered shall check the bond to see that it is valid and shall compare the data on the SH-J-268 with that on the bond itself to see that they are in agreement;
- the IRC/CRDF cashier shall complete the cashier section of the SH-J-268 and forward the forms to the document analyst for processing and release of the prisoner;
- when the release is completed, the jailer shall complete the remaining portion of the SH-J-268; and
- SH-J-268 shall be distributed as follows:
  - original:
    - stations - to the court Deputy; and
    - IRC/CRDF - to the prisoner's jail jacket;
  - first Copy:
    - stations - to be promptly forwarded by U.S. Mail to the concerned court together with the surety bond; and
    - IRC/CRDF - retained by the jail cashier;
  - second Copy:
    - stations - retained for Station files; and
    - IRC/CRDF - returned to bondsman.

When the concerned court is one served by the Station releasing the prisoner, the first copy of the SH-J-268 shall be delivered to the clerk of the court by the court Deputy on the next court day following the release of the prisoner.

- the IRC/CRDF cashier shall also prepare a Surety Bond Transmittal Form (SH-J-269), in duplicate, which shall be distributed as follows:
  - original - attached to the surety bond and forwarded to the concerned courts,
  - copy - retained by the IRC/CRDF cashier.

Release procedures following the acceptance of surety bonds for bail shall be the same

as those outlined for the release of defendants following the acceptance of cash bail.

### **5-03/090.65 FISCAL ADMINISTRATION RESPONSIBILITY**

Fiscal Administration shall be the controlling Unit for the issuing of the bail/fine forms and related deposit forms and for the reconciliation of all bail/fine bank account statements, as outlined under the procedures governing the standard banking procedures for this account.

### **5-03/095.00 CERTIFICATE OF RELEASE (SH-AD-516)**

In accordance with 851.6 PC, Certificates of Release (SH-AD-516) shall be issued to all persons arrested and released pursuant to 849(b)(1) or (3) of the Penal Code. When a person's release is based on a prosecutor's rejection of a complaint pursuant to 849.5 PC, or if no accusatory pleading has been filed, a Certificate of Release shall be issued, describing the action as a detention. No Certificate of Release will be issued when a portion of the charges are dropped in an arrest involving multiple charges or for a release pursuant to 849(b)(2) PC.

The investigating Deputy, Court Deputy or Court Services Deputy, shall be responsible for issuance of the Certificate of Release when:

- the prisoner to be released is in custody at the Station of arrest;
- the prisoner to be released is at the local court; or
- the suspect is no longer in custody.

If the suspect is no longer in custody, the original copy shall be mailed to the suspect's address. All "unable to deliver, return to sender" certificates shall be retained by the issuing Unit for a period of one year from the date of return.

A duplicate copy of the SH-AD-516 shall be filed in the booking jacket.

If the prisoner is transferred to Men's Central Jail or other location prior to arraignment, the Deputy or booking clerk who physically releases the prisoner shall:

- prepare the Certificate of Release in duplicate;
- original to the prisoner; and
- duplicate for the booking jacket;
- forward the copy of the SH-AD-516 to RIB for inclusion in the booking jacket.

This procedure shall apply to all prisoners arrested by this Department and, thereafter, the arrest shall be deemed a detention only.

If a subject was arrested for a warrant and he was later determined not to be the person

named on the warrant, the person issuing the Certificate of Release form shall complete the "Wrong Warrant Advisement" section of the form. Any warrant(s) that was thought to belong to the subject but in fact did not, shall be indicated by placing the warrant number in this section.

The person issuing the form shall draw a line through the portion of the heading that reads "Clearance Letter."

When a release JDIC message is sent, it shall indicate if the release is based on 849(b)(1) or (3) PC and request the Certificate of Release be issued, in addition to any other required release information.

#### Release of Prisoners Arrested by Other Agencies

When a prisoner, who was arrested by another agency, is released from this Department's custody pursuant to 849b(1) or 849b(3), a Certificate of Release shall be issued, signed by the releasing officer or his superior officer describing the action as a detention. If the person's release is based on a prosecutor's rejection of a complaint pursuant to 849.5 PC, or where no accusatory pleading has been filed, the law enforcement agency which arrested him is responsible for issuing and signing the Certificate of Release.

#### **5-03/095.05 CONTACT WITH CITIZENS POSSESSING A CERTIFICATE OF RELEASE/CLEARANCE LETTER FORM (SH-AD-516)**

Any person presenting a Certificate of Release/Clearance Letter (SH-AD-516) or similar document issued by another law enforcement agency of Los Angeles County to a member of this Department shall be presumed not to be the wanted person on any of the warrants specifically indicated on the form.

The above shall also apply to persons possessing proper court documents or an approved Petition to Seal and Destroy Arrest Records (Form BCID 8270) indicating that they were wrongly arrested for warrants.

Possession of this form does not prevent a records check for additional wants/warrants from being conducted.

If the records check reveals a possible warrant for the person possessing the SH-AD-516 form, the Deputy shall review and compare the number and issue date of any possible "hits" to those indicated on the SH-AD-516 form. Such persons shall not be arrested, transported or booked for any warrant specifically indicated on the SH-AD-516 form, or any other warrant, with a system entry date more than 30 days earlier than the date on which the SH-AD-516 was issued unless:

- the arresting Deputy believes the form is not authentic or has been altered;

- the arresting Deputy believes that the person possessing the form is not the person named thereon; and/or
- the officer has additional independent information which provides cause to effect the arrest.

### **5-03/100.00 ARRAIGNMENT OF PRISONERS**

California Penal Code section 825 mandates that anyone who is in custody must be arraigned before the close of court business on the second day following their arrest, excluding Sundays and court holidays, regardless of the time of day the arrest occurred.

All Saturdays are court holidays and are also excluded.

Exceptions to the mandated two-day arraignment requirement are:

- prisoners physically unable to attend court (see section 5-03/105.00);
- Federal prisoners;
- out-of-County warrants;
- State prison returnees; and
- parole violators.

Any inmate in the custody of this Department who has not been arraigned within the time set forth above will be released from custody forthwith. This applies even when a complaint has been filed. IRC will not rearrest or rebook inmates for the convenience of the arresting agency.

The arresting Deputy shall complete line #10 of the B&PR, by providing the arraignment date, time and court for all arrests, felony and/or misdemeanor. The arresting Deputy shall use the date and time listed on the Youngblood Case Settlement Revised Felony Arrest Release Schedule (the second court date following the arrest, regardless of the time of day the arrest occurred). The release (arraignment) schedule shall be maintained at the jailer's desk.

### **5-03/105.00 IMPERATIVE RELEASE OF PRISONER**

An imperative release is necessary when detention continues beyond the close of court business on the second court day following the arrest and no court appearance has been made or no other valid detention has been established.

Custodial jailers (e.g., Station jailers for Station arrestees and WAD; IRC/CRDF for Custody Division inmates) will continue to be responsible for releasing all arrestees not arraigned within two court days, in compliance with section 825 PC.

If the investigator does not intend to arraign the arrestee (e.g., DA reject, cleared,

insufficient evidence, etc.), the investigator shall advise the custodial jailer at once so that the release may be expedited.

The Watch Commander of the Unit or detail assigned the case shall determine the cause of any delay and take necessary action as set forth below:

- ensure that a JDIC message is sent immediately advising WAD or CRDF of the rejection, if the prisoner is to be released from IRC/CRDF;
- obtain a complaint and/or order to appear in court;
- release the prisoner;
- make other dispositions of the prisoner as circumstances require; and/or
- the Watch Commander shall notify the Unit Commander when compliance with the above is prohibited.

In all cases where physical disability prohibits the arraignment of a prisoner within the time set forth above, a notation will be made on the court lists indicating a "medical-no-go." The medical staff at the detention location shall make these determinations and notify the WAD section of IRC/CRDF.

If this procedure is not acceptable to the arraigning court and the prisoner's nonappearance is questioned, an SH-CR-409, Declaration of Physician, shall be completed and delivered to the court.

#### **5-03/107.00 LAC/USC MEDICAL CENTER RELEASE TO OPEN WARD**

Local next-of-kin notifications shall be made by jail ward sworn personnel whenever a prisoner is released from that Unit to an open ward and the prisoner is either physically or mentally incompetent. A monthly log sheet of all such releases shall be maintained at the Unit. The log sheet shall indicate the prisoner's name, date, time, person notified and the name and employee number of the Department member making the notification or the reason for failure to make notification.

#### **5-03/110.00 BAIL RELEASES - FELONY PRISONERS**

Pursuant to 1269(b) PC, the officer in charge of a jail is authorized to approve and accept bail, according to a bail schedule, for persons being held in custody prior to a court appearance for felonies as well as misdemeanors and infractions.

Persons for whom cash bail or bond has been posted shall be released from custody in the most expeditious manner possible, consistent with our obligation to positively identify those persons before the release is made. Under most circumstances, releases from custody shall not occur until the positive identification message has been received from the Fingerprint Identification Unit. It is generally possible to positively identify a prisoner based on the electronic transmission of his or her fingerprints via the LiveScan system

within two hours.

If a positive identification message has not been received within two hours of the LiveScan print transmission, the Records and Identification Bureau Fingerprint Unit supervisor (phone number 562-345-4461) shall be contacted to determine the status of the return message. The prisoner should generally not be released at this time.

If the positive identification message has still not been received after four hours of the LiveScan print transmission, the Records and Identification Bureau shall be contacted again to determine the current status of the message. The station watch commander shall be advised of the situation and shall assess the probability that the positive identification message is forthcoming in the immediate future. The watch commander shall determine whether or not the prisoner shall be released immediately or held pending receipt of the positive identification message based on factors such as: the information provided by the Records and Identification Bureau, the quality of the prisoner's identification papers, whether or not the prisoner lives locally and/or is known to station personnel, etc. Prior to release, the watch commander shall verify that the Fingerprint Unit Supervisor was notified and investigated the absence of the response. The watch commander's decision and the pertinent details it was based on shall be detailed in the Shift Summary Log. Prisoners cannot be held indefinitely pending positive identification.

In those cases where a positive identification message has not been received from the Fingerprint Unit and a bail agent is at the station presenting a bond, the bond should be received and held by the jailer pending the identification message. It is not necessary for the bail agent to remain at the station, awaiting arrival of the message.

If a positive identification message is later received that identifies the prisoner as someone other than originally believed, the bail agent shall be called to retrieve the bond, which will be considered void.

Section 1269(b) PC states that, whenever a peace officer has reasonable cause to believe that the amount of bail set forth in the schedule is insufficient to guarantee the defendant's appearance in court, the peace officer can request an order setting a higher bail. He must prepare a written declaration, under penalty of perjury, setting forth the facts in support of his belief, file the declarations with a magistrate, and request that a higher bail be set.

The defendant may personally or through any other person, make application to have bail set at less than that provided in the bail schedule or for release on his own recognizance.

A defendant may be held for eight hours when there is good reason to believe a request to raise the bail will be granted. If the defendant has been in custody for eight hours and no court order has been received in response to a request to lower or raise bail, he is entitled to release upon posting the scheduled bail.

**NOTE: PERSONS ARRESTED FOR A FELONY SHALL NOT BE RELEASED ON**

A PROMISE TO APPEAR CITATION.

**5-03/110.05 MULTIPLE BAIL, MULTIPLE CHARGES, DEVIATIONS FROM SCHEDULE AND OWN RECOGNIZANCE (OR) RELEASES**

In all sections of the felony bail schedule that have more than one bail amount listed, the highest amount shall apply unless the arresting Deputy has indicated on the booking slip that a lesser amount is appropriate.

The arresting Deputy shall designate which of the multiple bail amounts apply. He must have direct knowledge that the amount designated meets the specifications of the felony bail schedule.

In cases of multiple arrest charges, designate amount for the highest grade felony and/or the greatest amount of bail.

The one exception from the Department rule that releases authorized by a judge or commissioner must be a written document signed by a judge will be a verbal authorization for release by the on-duty Superior Court Commissioner. This commissioner is responsible for handling requests for deviation from the felony bail schedule, as authorized in 1269(c) PC, when court is not in session. Each commissioner assigned to such duty will remain at his home during the duty hours and will be accessible via telephone to hear and make decisions on requests for deviation from the bail schedule. The hours are:

- weekdays - from 2200 to 0800 hours;
- weekdays - from 0800 to 0900 hours, contact Clerk, Department 100; and
- weekends - from 1000 to 1600 hours and from 2200 to 0800 hours.

Applications for deviation during court hours may be made by filing the declaration in Department 100, Criminal Courts Building, 210 West Temple Street, Los Angeles.

The prisoner shall, in all cases, be retained at the original booking facility until the amount of bail is resolved whenever there is an application to raise the bail or if one is being considered.

The procedure for releases resulting from bail deviation cases shall be as follows:

- the peace officer or the person making the request for deviation will have the Request and Delegation for Deviation from Felony Bail Schedule (SH-J-359), required by 1269(c)PC, prepared in advance of telephoning the IRC Watch Commander.

The caller should identify himself and give the following information:

- police department, Sheriff's Station, or place from which he is calling;
  - telephone number from which he is calling;
  - arrestee's name;
  - booking number;
  - charges; and
  - scheduled bail amount;
- IRC Watch Commander, who maintains a confidential list of on-duty commissioners and their telephone numbers, shall relay the above information to the on-duty commissioner. The commissioners, when notified by Sheriff's personnel, will telephone the arresting agency to converse directly with the requestor;
    - the commissioner will inform the Deputy making the request for bail deviation that both sides of the telephone conversation are being tape-recorded;
    - the declarant shall read the declaration, which must set forth facts and circumstances sufficient to give reasonable cause to believe that the amount of scheduled bail is insufficient to assure appearance of the arrestee or that it is excessive; and
    - the commissioner, upon hearing the declaration, may make his decision and order, forthwith, to the officer in charge;
  - information may be obtained by the commissioner from the on-duty Deputy District Attorney when application for Own Recognizance Release or Reduced Bail is requested;
  - the commissioner will make an oral order and also prepare an original and 2 copies of an Order Fixing Bail OR Release with the following distribution:
    - original copy sent via U.S. mail to the Municipal Court division where arraignment is to be held;
    - one copy sent via U.S. mail to the arresting agency; and
    - copy retained by the commissioner;
  - should there be an order made to release an arrestee on OR, he shall not be released until he has been notified in writing of the following:
    - time and place of his required appearance in court;
    - that he is charged with a felony; and
    - that he is guilty of a felony (1319.4 PC) if he willfully fails to appear as he agreed to in his Notice to Appear (SH-CR-66);
  - the commissioner shall send the original of the order for OR release to the court to which the arrestee is to return. A copy shall be sent to the arresting agency and the commissioner shall retain a copy; and
  - the original of the Notice to Appear will be sent by the arresting agency to the court where the arrestee is to appear.

**5-03/110.07 ACCEPTANCE OF BAIL PRESENTED ON ONE OR MORE CASES/MULTIPLE CHARGES AND OWN RECOGNIZANCE (OR) RELEASES**

A bond or bail presented on behalf of an inmate for a bondable charge(s) shall be accepted.

A bond or bail presented on behalf of an inmate for a bondable charge(s) being held on an Immigration and Customs Enforcement (ICE) Detainer shall be accepted at a Station or the Inmate Reception Center (IRC):

- if the inmate's booking record is maintained at the IRC, the IRC shall make the inmate available to the custody of ICE agents; or
- if the inmate is being held at a Station, the Station shall keep the inmate in custody until transfer to the custody of ICE agents.

If an inmate has one or more cases/multiple charges, the total amount of bail must equal the amount necessary for ALL charges which require bail per MPP Section 5-03/110.05, prior to release.

When an inmate has charges which allow for release on a promise to appear, in addition to charges which require bail:

- if bail is presented for only the charges which require bail, the bail shall be accepted and citations prepared for the remaining charges; or
- if bail is presented for all the charges, the bail shall be accepted and the inmate processed for release.

#### Own Recognizance (OR) Releases

When bail or bond is presented and the inmate has been granted a release on their own recognizance (OR) by the bail commission, the bail shall be rejected and the inmate processed for OR release.

#### **5-03/110.10 PHOTOGRAPHING FELONY BAIL RELEASES**

Stations/Units arresting suspects and preparing to release prisoners pursuant to the felony bail procedure, shall photograph the subject prior to release.

The photographs, to be utilized mainly by the Detective Division, will be an aid during investigations and for identification. Stations/Units desiring to set up a mug file should request their Station/Unit name be included in the Photo Lab's distribution list.

Film cartridges and flash cubes for use with the instamatic cameras may be requisitioned from the Photo Lab. A 10"x12" slate board to be used as an identification plate shall have the date, subject's name and date of birth, booking number, Station/Unit and the charge printed on it.

#### General Guidelines

- instruct the subject to hold the identification plate at least 6" below chin level in both full face and profile shots;
- face the subject to the camera operator's left on profile shots. Photograph the right side when the subject has distinguishable features on that side;
- photographs, as a general rule, should be confined to the area above the subject's waist;
- select a nondescriptive, light colored wall as a background;
- instruct the subject to remove any outer coat or jacket prior to photographing; and
- exposed film cartridges shall be tagged "Bail Outs" prior to sending them to the Photo Lab for processing. In order that concerned personnel be supplied with timely information, it is recommended that exposed film be forwarded for processing within 24 hours.

Copies of the 3-1/2"x5" photographs shall be forwarded to the Major Crimes Bureau in addition to any other requests for distribution.

#### **5-03/115.00 MISDEMEANOR PRISONERS-RELEASE POLICY**

Misdemeanor prisoners shall be released in a manner prescribed by law as soon as such persons may reasonably and safely be released.

Section 5-03/115.05 and section 5-03/115.20 deal with the procedures to be followed when making field releases and releases from custody. Procedures for making releases pursuant to 849(b)(2) and (3) PC are covered in section 5-03/117.00 and section 5-03/119.00.

#### **5-03/115.05 FIELD RELEASE OF MISDEMEANOR PRISONERS**

Misdemeanor prisoners shall be released in the field whenever it is reasonable and safe to do so, providing:

- the prisoner is not under the influence of alcohol, a narcotic or any dangerous drug; and/or
- the misdemeanor arrestee does not fall into the mandatory and non-release policy as defined in section 5-03/115.20.

#### **5-03/115.10 FIELD RELEASE - PROCEDURE**

The procedure for effecting a field release shall be as follows:

- check through Station/Unit via JDIC for warrants in CWS or WPS;
- fill out the Notice to Appear (SH-CR-66);

- write "FIELD RELEASE" in bold letters on the top of the Notice to Appear;
- after circling sex in the appropriate box, indicate race identifier in the same space;
- place the arrestee's birthplace on the line above the space for "File Number; and"
- check the box "Booking Required" only when the arrestable offense requires fingerprints be taken per section 5-03/050.05;
- obtain the signature of the arrestee;
- release arrestee;
- obtain a booking number and an URN from the Station/Unit;
  - place the booking number on the line above the box "Booking Required" adjacent to the arrestee's birthplace;
- submit the Notice to Appear with the Incident Report to the Watch Sergeant.

### **5-03/115.15 WATCH SERGEANT'S RESPONSIBILITY**

On receiving the Notice to Appear and Incident Report for a field release, the Watch Sergeant shall:

- assure that the documents are complete and correct; and
- ensure that the AJIS computer is updated from the pink copy of the Notice to Appear with complete booking and release transactions. The AJIS release code "Cite" (see Users Handbook) shall be shown as the reason for release.

### **5-03/115.20 MISDEMEANOR RELEASE - EXCEPTIONS**

A misdemeanor prisoner shall be released, either in the field or from custody, on his written promise to appear, unless:

- the person has been arrested for a domestic violence battery (243(e)(1) PC);
- the person has been arrested for the violation of a court protective order related to domestic violence;
- the person has been arrested for stalking (646.9 PC);
- the person arrested was so intoxicated that he could have been a danger to himself or to others;
- the person arrested required medical examination or medical care or was otherwise unable to care for his own safety;
- the person was held in custody on the authority of one or more of the violations listed under section 40302 of the Vehicle Code;
- the person in custody has outstanding warrants with an aggregate bail amount exceeding cite-out criteria;
- the person cannot provide satisfactory evidence of personal identification. (Adequate identification includes name, address, sex, race, height, weight, color of hair and eyes and date of birth. A "Los Angeles County Regional Identification

System (LACRIS) Notification,” in response to a Livescan fingerprint identification request, is considered adequate identification for purposes of this section.);

- persons held in custody on the authority of Vehicle Code section 40302(a) may not be detained longer than two hours to verify identity (40307 CVC):
  - if the person does not adequately identify himself within the two-hour period and does not have sufficient funds to bail out, he shall be booked after the two-hour period elapses;
  - if the person does not adequately identify himself within the two-hour period but has sufficient funds to bail out, he shall be admitted to bail after two hours and shall not be booked; and
  - if the person adequately identifies himself within the two-hour period, he must be cited out pursuant to Vehicle Code Section 40307, and shall not be booked;
- the prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by immediate release of the person arrested;
- there was a reasonable likelihood that the offense or offenses would continue or resume or that the safety of persons or property would be imminently endangered by release of the person arrested;
- the person arrested demands to be taken before a magistrate or refuses to sign the Notice to Appear;
- the person arrested will not appear on their own (the basis of the Watch Commander’s decision must be specifically stated) (853.6(i)(9) PC);
- any reason where, for good cause, the Watch Commander believes a release would be unreasonable or unsafe. Specific justification for the non-release must be noted on the Arrest and Property Form;
  - warrant violations not eligible for release:
  - warrants for false identification to Peace Officer (148.9 PC);
  - warrants involving the use of firearms (827.1(b) PC);
  - warrants involving violence, including domestic violence (827.1(a) PC);
  - warrants that indicate no release/citation (827.1(k) PC); and
  - warrants for resisting arrest offences (827.1(c) PC);
- the person was arrested for Disorderly Conduct Drunk (647(f) PC), no further proceedings are desirable and the arrestee is released without a notice to appear under the guidelines set forth in section 5-03/117.00.

### **5-03/115.25 STATION CITE-OUT RELEASE - PROCEDURE**

Prisoners arrested and booked for misdemeanor offenses shall be handled as Station releases, unless the arresting Deputy’s Watch Commander has approved detention by certifying the reason for the hold.

The release shall be executed at the earliest possible time consistent with procedural requirements, prudence and safety.

Distribution of the Notice to Appear is as follows:

- original (green) attached to a copy of the Incident Report - to the court of jurisdiction;
- yellow copy - to the prisoner;
- pink copy - send via JDIC for input into AJIS, then to Unit files; and
- white copy - to issuing Deputy.

NOTE: PERSONS ARRESTED FOR A FELONY SHALL NOT BE RELEASED ON A PROMISE TO APPEAR CITATION.

### **5-03/115.30 ARRESTING DEPUTY'S RESPONSIBILITY**

If the arresting Deputy believes that a misdemeanor should be held in custody for one or more of the reasons listed under section 5-03/115.20, he shall obtain the concurrence of the Watch Commander by presenting him with the B&PR to be signed.

If it is determined that there is no legal reason to hold a misdemeanor prisoner in custody, then, at the time of booking, the arresting Deputy shall complete the required information on the Notice to Appear as follows:

- enter all information available, including the vehicle description;
- specify the code in the "Violation" section, e.g., 23152 CVC, 25662 B&P, etc.;
- leave the item titled "Booking Required" blank. This space shall only be checked under certain circumstances when a field release is being effected (refer to section 5-03/115.10);
- the arresting Deputy should not sign the Notice to Appear since he will not be present to witness the signature of the suspect and, therefore, cannot testify in court that the suspect signed the citation; and
- allow at least five court days prior to appearance or in accordance with special court appearance procedures.

Exception: For private person's arrests, the arresting Deputies shall not complete a citation. This will be the jailer's responsibility.

### **5-03/115.35 JAILER'S RESPONSIBILITY**

The jailer shall receive the prisoner and:

- review the booking procedures for accuracy;
- check the citation for completeness;
- complete the Notice to Appear if a private person's arrest, indicating private person's arrest on the face of the form;
- have the prisoner sign the Notice to Appear in the space for "Signature;"

- sign the citation as certifying officer; and
- release the prisoner.

If the prisoner was arrested by another agency, the jailer shall complete a Notice to Appear (SH-CR-66). The jailer shall sign in place of the arresting officer, clearly indicating the name of the arresting agency on the face of the form.

Certification is accomplished by checking the box provided on the Notice to Appear, filling in the city where the release was effected and signing as issuing officer, including employee number. In addition, print the name and identification number of the arresting officer in the space provided.

The citation form shall be delivered to the court Deputy, who shall ensure that the district attorney receives a copy when the complaint is sought.

Where a Notice to Appear was completed by the arresting officer, but the prisoner is found to be ineligible for release on citation, the jailer shall have the citation voided by the Watch Commander.

Update AJIS computer with complete booking and release transactions. AJIS release code "Cite" (see Users Handbook) shall be shown as the reason for release.

#### **5-03/115.40 COURT DEPUTY'S RESPONSIBILITY**

The court Deputy shall attach the original (green) of the Notice to Appear to the arrest report and file it directly with the clerk of the court.

Should the defendant plead "Not Guilty" and, upon request of the district attorney, the court Deputy shall procure a copy of the arrest report, attach a photocopy of the Notice to Appear and furnish both to the district attorney for trial purposes.

The court Deputy shall report dispositions of misdemeanor prisoners on Case Activity Report Form (SH-CR-529). See Case Assignment and Reporting Volume.

On receipt of warrants from the courts for failure to appear, the court Deputy shall handle the warrants according to existing procedures.

On a private person's arrest, the court Deputy shall deliver the report and cite form to the district attorney for complaint to be signed by the citizen.

#### **5-03/115.45 STATISTICAL REPORTING**

The responsibility for maintaining accurate statistical data pertaining to this program shall rest with Custody Division.

### **5-03/117.00 MISDEMEANOR RELEASE PURSUANT TO 849(b)(2) PC**

All persons arrested for intoxication only shall be released providing:

- the intoxicant is alcohol;
- no further proceedings are desirable;
- such person may reasonably and safely be released; and
- release is not precluded under the guidelines noted in section 5-03/115.20.

Release of a prisoner under section 849(b)(2) PC does not require the issuance of a Certificate of Release (SH-AD-516).

### **5-03/117.05 DRUNK ARRESTS OTHER THAN ALCOHOL**

Prisoners arrested for being under the influence of an intoxicant other than alcohol shall not be released pursuant to 849(b)(2) PC, but shall be released on their written promise to appear, except under those circumstances described in section 5-03/115.20 and section 5-03/119.00.

In these cases, the citation may be issued by a narcotics Deputy, providing one is available within a reasonable time.

### **5-03/117.10 849(B)(2) PC RELEASE - JAILER'S RESPONSIBILITY**

The jailer, prior to releasing a prisoner under provisions of 849(b)(2) PC, shall:

- review the booking procedures for accuracy;
- obtain the prisoner's signature on lines 18 and 44 on the original copy of the B&PR;
- return cash and property to the prisoner;
- release the prisoner [indicate 849(b)(2) PC on computer update message];
- indicate on the Incident Report (SH-R-49) that the report is inactive;
- record the name of the employee making the final release, date and time on line 44; and
- in the space on the back side (or page 2) of the B&PR "Reason for Release," reflect "Released per 849(b)(2) PC" in the "Released To" field and put an "X" next to the OTHER for release reason.

### **5-03/119.00 MISDEMEANOR RELEASE PURSUANT TO 849(b)(3) PC**

All persons arrested only for being under the influence of a narcotic, drug or restricted dangerous drug may be released to an authorized treatment center, providing:

- no further proceedings are desirable;
- such person may reasonably and safely be released;
- release is not precluded under the guidelines noted in section 5-03/115.20; and
- the authorized treatment center has sufficient capacity to receive the person.

In any case in which a person is arrested and released pursuant to 849(b)(3) PC, the releasing Deputy shall issue a signed Certificate of Release (SH-AD-516) describing the action as a detention.

### **5-03/120.00 MISDEMEANOR ARRESTS BY OTHER JURISDICTIONS**

A prisoner arrested by another agency for a misdemeanor violation shall be released as described in section 5-03/115.35, unless that agency has specifically designated that the prisoner be retained in custody as provided in section 853.6(j) PC.

### **5-03/122.00 MISDEMEANOR PRISONERS NOT RELEASED ON CITATION**

In all cases where a misdemeanor prisoner is not released on citation, the Watch Commander shall sign the B&PR authorizing the detention, indicating the specific reason for non-release. The reason must correspond with one or more of the exceptions noted under section 5-03/115.20.

### **5-03/125.00 STATION RELEASES**

Stations shall make a record and want search inquiry via JDIC prior to proceeding with bail or bond releases.

The Station Jailer shall review the JDIC message want response and contact the assigned Unit to determine if there are additional holds or charges.

A prisoner can be released only when bail or bond has been posted for all charges or for any reason found listed in the release codes in the AJIS Manual. A prisoner can only be released via a JDIC entry from the Station where he was booked.

When actual release procedures are begun, the Station Jailer shall:

- prepare three fingerprint cards (see section 5-03/050.00);
- obtain the prisoner's signature on lines 17 and 20 of the B&PR (SH-J-293);
- return cash and property to the prisoner;
- obtain the prisoner's right-hand flat prints on the reverse side of the original (white) copy of the B&PR;

- review booking slip and compare the prisoner's physical description with the description on the booking slip and any identification that may be in the prisoner's property bag;
- compare prisoner's release signature on the booking slip with the signature when the prisoner was booked;
- if the Jailer has been trained and certified in fingerprint comparisons, they shall compare the fingerprints which were taken at the time of booking on the booking slip and/or the print card from the "Live Scan" computer to the prints taken at the time of release, making sure they match;
- if the Jailer is not positive as to the identity of the prisoner they are releasing, they shall advise the Watch Sergeant and the Watch Commander who shall review the documents. The Watch Commander shall make a final determination whether or not the prisoner should be released;
- fill in the information regarding the release on the reverse side of the original (white) of the B&PR;
- forward to RIB, Fingerprint Section, the following:
  - three fingerprint cards (when required);
    - blue copy of the B&PR; and
    - copies of any other pertinent documents (e.g., warrant checks, bail or bond information, etc.) pertaining to the booking and/or release of the prisoner;
- the white copy of the booking slip (original) shall be forwarded to RIB to be imaged and then placed in the archives files temporarily;
- remove and destroy the prisoner's identification band;
- inform the prisoner of the date, time and place of his court appearance;
- release the prisoner; and
- notify the Station JDIC operator to update the computer by entering the release information into AJIS.

### **5-03/130.00 COURT RELEASES**

The subsections which follow outline the procedures to be followed when releases in court are made under varying conditions.

### **5-03/130.05 PRISONERS/INMATES PROCESSED THROUGH IRC/CRDF**

When an inmate, processed through IRC/CRDF, appears in court and is ordered released by the court, the Deputy having custody of the inmate (bailiff/transportation) shall begin processing the inmate for release from court. The deputy shall also notify the watch deputy at IRC/CRDF of the pending release status of the inmate. All inmates ordered to be released shall be released within eight (8) hours or by midnight of the same day a release order is issued (whichever deadline comes first).

When a judge orders an inmate released, the Deputy having custody of the inmate shall:

- obtain the release order from the court ordering the release;
- send an "In-Court Release Worksheet" e-mail to "IRC IN CRT RELEASE AM" before 1430 hours and "IRC IN CRT RELEASE PM" after 1430 hours. The e-mail subject section must include the court's name;
- the Document Control Clerk shall telephone the Court Release Deputy with the specifics of each individual inmate's release processing need. They shall indicate which inmates are eligible for release from court as well as those that must be returned to IRC/CRDF for additional processing. The Court Release Deputy shall write the date, time and name of the document analyst (IRC/CRDF) authorizing the release, on the reverse side of the court release order; and
- establish positive identification of the inmate to be released. The identification band and identification card worn by the inmate is not considered positive identification. Los Angeles County Regional Information System's photo and/or booking information, LIVE SCAN, and information from IRC/CRDF Document Control may be used to establish positive identification. If positive identification of the inmate cannot be established, the inmate shall be returned to IRC/CRDF for fingerprint comparison and expedited release. When necessary, special transportation may be provided.

Once positive identification has been established:

- remove the identification band, and identification card. Attach them to the "in court" release order;
- release the prisoner inmate;
- transmit the release order to IRC/CRDF; and
- make a release entry on the Transmittal Form (if applicable).

The following inmates shall return to IRC/CRDF prior to release:

- inmates requiring medical approval for release;
- inmates requiring mental evaluation prior to release;
- inmates convicted of a charge that requires submitting a DNA sample prior to release; and
- any exception approved by IRC/CRDF Document Control Clerk, Records Lieutenant or Watch Commander.

Inmates ordered released, but returning to IRC/CRDF, shall have a green wristband attached to their identification wristband in order to distinguish them as "potential releases," pending approval. Appropriate paperwork must accompany the inmate. Prior IRC/CRDF approval shall be obtained before transporting green wristband inmates to IRC/CRDF.

The Sheriff's Department is allowed 24 hours to have an inmate evaluated by medical/mental health personnel prior to release and/or placement of the inmate in a medical/mental health facility due to their condition. The 24-hour period also applies to

inmates that must submit a DNA sample prior to their release from custody.

### **5-03/130.10 PRISONERS GOING DIRECTLY TO COURT**

#### From Station

When a Station booking goes directly to court (without processing through IRC/CRDF) and is ordered released by the court, the Deputy having custody of the prisoner shall:

- obtain the release order from the court;
- check booking slip for additional holds; and
- check CWS via JDIC or telephonically for hits. If reply from CWS is "No Hits," process the release. Note "No Hits per CWS" on the back of the release order.

If a JDIC message does not accompany the booking slip but a notation is made by the jailer, note the jailer's name on the back of the release order as verifying that no other holds exist.

If a JDIC message does not accompany the booking slip and there is no jailer's notation on same, call the Station jailer and note his name on the back of the release order as verifying that no other holds exist.

If B&PR shows additional warrants for which bail is posted, obtain authorization from Station jailer and note his name on the back of the release order as verification of this.

NOTE: If any problems or discrepancies occur, the Deputy shall contact his supervisor.

- obtain the prisoner's signature on Lines 17 and 20 of the B&PR;
- print prisoner (four fingers and thumb) on reverse side of white copy of B&PR;
- remove wristband from prisoner, verify the name and booking number and attach the wristband to the court papers;
- return cash and property to the prisoner;
- release the prisoner;
- fill in information regarding release on reverse side of white copy of B&PR;
- place the release order, B&PR, CWS sheet and other papers in an envelope and mark same "Court Release;"
- transmit the court release envelope to IRC/CRDF; and
- make release entry on the Transmittal Sheet (if applicable).

#### From LAPD

All LAPD prisoners ready for release at court shall be released by the Court Services personnel and shall be handled in the same manner as is the "from Stations" portion of this section.

### From Other Agencies (Other Than LAPD)

Determine if prisoner has holds from LASD. If he has such holds, transport to IRC/CRDF as a "Court New Booking."

Prisoners from other police agencies that are not accompanied by a Sheriff's warrant or have not been remanded are being held as a courtesy only. If a release is ordered, call the arresting agency to determine if additional holds exist. If no holds exist, or the original arresting agency may release the prisoner. If a Deputy is responsible for the release, this will be accomplished as duties permit within a reasonable time period.

If additional holds exist, inform the arresting agency that it is their responsibility to pick up the prisoner from our court lockup.

### **5-03/130.12 BAIL POSTED**

When a person appears at the lockup with a receipt indicating that bail has been posted, the Deputy shall:

- check with the respective court to ascertain if any change has taken place in the prisoner's status;
- if any changes exist in the prisoner's status, do not release;
- if no changes exist in the prisoner's status, the following shall apply:
  - County prisoners - call IRC/CRDF to verify that bail has been posted and to determine if additional charges or holds exist. Releases or holds are to be processed as outlined in the preceding subsection;
  - Station bookings - verify with the Station jailer that bail has been posted on the proper charge and in the correct amount. If no CWS slip in the prisoner's packet, obtain verification from the Station jailer. The release is then processed, and authority to release is noted on the transmittal sheet;
  - or
  - LAPD or other agency booking - verify with the agency that bail has been posted and is correct and that there are no holds. If no holds, process the release.

### **5-03/130.15 NO COMPLAINT ISSUED - NO ORDER FOR RELEASE**

Prisoners who are taken to court but do not have charges filed while at court are to be returned to the arresting agency or Sheriff's Station or in the case of returnees or CHP arrests, to MCJ/CRDF.

A "no filing" is not a release order, but merely a notification that a particular case was not filed that day. Unless the prisoners are imperative releases (which is determined by the

responsible agency), they will be returned to court the next day.

Under certain circumstances, Court Services Transportation Bureau will handle imperative releases, although not routinely handled by this Bureau. If the prisoner's attorney or other party advises that the prisoner should be released and verification is received of a no filing, advise the person to contact IRC/CRDF. Upon proper authorization from IRC/CRDF, release the prisoner per normal release procedures.

### **5-03/130.17 DISTRICT ATTORNEY REJECTS AND CHARGE REDUCTIONS**

It is not unusual for prisoners to be taken to court and have the original charges rejected or when the original charge is a felony, have lesser or misdemeanor charges filed.

Notification of a change in charges or a charge rejection will be accepted only from:

- the detective assigned to the case with the concurrence of his supervisor;
- court liaison officers;
- court clerks; or
- Deputy District Attorneys.

The name of the person making the notification shall be listed on the transmittal sheet.

If the original is a felony, whenever possible, obtain a copy of the District Attorney Charge Evaluation Work Sheet (DA-733H) signed by the Deputy District Attorney. Attach the work sheet to the court papers.

When the district attorney rejects or charge reductions are verified, proceed with release per normal release procedures. In the absence of proper documentation or verification, do not release the prisoner. Note on the transmittal sheet, "Action Unknown" and return the prisoner to the proper agency, IRC or CRDF.

### **5-03/130.20 IRC PROCEDURES**

The receiving office clerk at IRC/CRDF, upon arrival of release envelope, shall:

- sign for the envelopes on the Transmittal Sheet (SH-CR-275); and
- route three fingerprint cards and original of the B&PR and any attached additional charges forms to RIB.

When a prisoner is released or transferred to another agency, all his property shall be released to the other agency.

### **5-03/135.00 DAILY MISDEMEANOR BAIL RELEASE AND NON-APPEARANCE LIST**

The subsections which follow outline the responsibilities and procedures involved in the "Daily Misdemeanor Bail Release and Nonappearance List."

**5-03/135.10 COMMUNICATIONS AND FLEET MANAGEMENT BUREAU**

Upon receipt of the release and nonappearance list, the JDIC computer room operator will transmit the entire list to all Stations and Units between 0600 and 0700 hours daily.

**5-03/135.15 COURT DEPUTIES**

Upon receipt of the release and nonappearance list, court Deputies will:

- establish priority on those complaints to be issued for the current day's arraignment and those scheduled for later appearance;
- prepare "Notification of Court Appearance" (SH-CR-405) and attach to complaints of defendants on bail; and
- notify court clerk of nonappearance of defendants.

Court Deputies shall be responsible for placing a defendant on a future court list when case is continued for nonappearance of defendant.

**5-03/135.20 SCHEDULED DATES OF APPEARANCES**

The following schedule of appearance dates for misdemeanor releases at IRC/CRDF or Stations shall be adhered to:

| <b>Date Bailed Out</b> | <b>Date Scheduled to Appear</b> |
|------------------------|---------------------------------|
| Monday                 | Monday (following week)         |
| Tuesday                | Tuesday (following week)        |
| Wednesday              | Wednesday (following week)      |
| Thursday               | Thursday (following week)       |
| Friday                 | Friday (following week)         |
| Saturday               | Saturday (following week)       |
| Sunday                 | Sunday (following week)         |

**Exceptions:**

- as local court may direct;
- where day scheduled to appear is a holiday, schedule appearance for next court day; and

- in the following two courts only, five days must have elapsed between date of bail and appropriate court date:
  - Malibu Municipal Court, Calabasas Branch, 0900 hours, Monday and Friday;
  - Malibu Municipal Court, 0900 hours, Tuesday, Wednesday and Thursday; or
  - Catalina Island Justice Court, Fridays at 1400 hours only.

### **5-03/137.00 VOLUNTARY DELAYED RELEASE PROGRAM (VDR)**

Department members shall not discourage or encourage inmate/arrestee participation in the Voluntary Delayed Release (VDR) Program.

Department personnel shall ensure the VDR form is completed prior to releasing the inmate/arrestee.

Inmates/arrestees who **do not** wish to participate in the VDR Program shall continue through the release process without delay.

If an inmate/arrestee **wishes to** participate in the VDR Program, the Department member releasing the inmate/arrestee shall obtain the inmate's/arrestee's signature, fingerprint, and place the inmate/arrestee in a designated holding cell for VDR inmates/arrestees.

An inmate/arrestee may revoke their request to voluntarily remain in custody at any time. In the event an inmate/arrestee **revokes** their decision to participate in the VDR Program, the Department member releasing the inmate/arrestee shall ensure section 3 Revocation is completed by obtaining signatures from the inmate/arrestee and watch commander. The inmate/arrestee shall be processed for release without delay.

Inmates/arrestees participating in the VDR Program shall be processed for release in a timely manner not to exceed 16 hours or until normal business hours, whichever is shorter.

Inmates/arrestees participating in the VDR Program shall be given an opportunity to make a reasonable number of phone calls in order to arrange for transportation and to notify the bail/bond agent of their decision to remain in custody.

Court released inmates/arrestees who want to participate in the VDR Program shall be transported to the Inmate Reception Center (IRC) or Century Regional Detention Facility (CRDF) for processing.

Unit commanders who are responsible for detentions and incarcerations of inmates/arrestees shall establish procedures for the Voluntary Delayed Release Program for their unit to include designation of a holding cell, revocation procedures, phone calls, etc.

### **5-03/140.00 SPECIAL ASSESSMENTS FOR NIGHT MUNICIPAL COURTS**

Department personnel authorized to accept fines and bail deposits for violations of 42006 CVC, or any local ordinance relating to the operation of a vehicle or their operator's or owner registration or pedestrian offenses, shall collect a special assessment of .50 cents for each fine and bail deposited in cases to be conducted in night courts. This assessment shall be in addition to any other penalty assessment.

The special assessment shall be collected for only those fines and bails imposed by Municipal Courts that conduct night sessions pursuant to section 72300 of the Government Code. These Municipal Courts in Los Angeles County are:

- Citrus
- Compton
- Downey
- Long Beach
- Los Angeles
- Pasadena
- Whittier

This assessment shall be waived in cases where a person is convicted and is imprisoned in lieu of fine payment. This assessment shall be charged on partial fine payments after imprisonment.

Special assessments shall not be collected on bail deposited as the result of any warrant.

### **5-03/150.00 WORK TIME, GOOD TIME RELEASE CREDITS**

Pursuant to 4019 PC, for each six-day period in which a prisoner is confined in or committed to a County Jail, industrial farm or road camp, he may have one day work time and one day good time deducted from his period of confinement.

#### **5-03/150.10 EARNING OF CREDITS**

The Inmate Classification and Placement Detail shall, with the approval of the Chiefs of the Custody Services Division, establish procedures and criteria for awarding good behavior time and work performance time credits.

#### **5-03/150.20 ELIGIBILITY CONDITIONS**

- confined or committed to a County jail or facility;

- determination of eligibility to earn credits;
- sentence of six days or more;
- work performance time credits shall be awarded to an inmate when he has satisfactorily performed labor assigned to him; and
- good behavior time credits shall be awarded to an inmate when he has satisfactorily complied with the rules and regulations established for the conduct of inmates and other regulations governing the awarding of such credits.

### **5-03/150.30 COMPUTATIONS**

- the number of days credit shall be computed at the time the inmate is declared eligible to earn credits;
- the computations shall provide for the maximum allowable deductions;
- those instances wherein an inmate's conduct or work record fails to qualify him for the release date computed will be reported on a Good Time/Work Time Awards Form (SH-J-388); and
- good time credits previously earned shall only be revoked upon the recommendation of the Unit Commander. When this action is appealed, a hearing board consisting of the Area Commander and the Inmate Services Area Commander shall determine if good time loss is warranted and if so, the amount of good time earned that the inmate will lose.

### **5-03/150.35 NOTICE TO INMATE OF INTENT TO REVOKE GOOD TIME CREDITS**

The inmate shall be given notice of the intent to revoke good time credits earned together with a statement of the grounds for the revocations, at a reasonable time, not less than 24 hours before discipline is imposed. The inmate shall have a personal appearance before a Disciplinary Review Board (DRB) and shall have the right to call witnesses, confront his accuser and present a defense. If the inmate is not competent or requests aid in preparing his case, the Lieutenant in charge of the Inmate Classification and Placement Detail shall represent him. The Unit Commander or his appointed representative shall present the case against the inmate.

### **5-03/155.00 PAROLE AND MODIFICATION OF SUMMARY PROBATION**

Every eligible prisoner in the custody of the Department is entitled to apply for parole or modification of summary probation after sentence has commenced. The question of eligibility shall be the responsibility of the Parole Investigation Unit of the Los Angeles County Probation Department.

The following are not eligible to apply:

- when probation is part of sentence;

- when the court suspends any portion of sentence;
- when a fine is imposed;
- when a "hold" has been placed (In cases of traffic warrants, payment of fine will clear the hold);
- when "good time" is lost; or
- when previously violated on L.A. County or city parole.

Parole/modification of summary probation applications will be furnished to prisoners upon request. The completed form will be forwarded to the Director of Work Furlough and Parole and must comply with the following:

- the application for parole is sent to the above office four weeks prior to completion of one-half of the prisoner's full-time sentence; and
- the prisoner placed on probation to the court is eligible for modification during any part of his sentence.

### **5-03/160.00 CRIMINAL REGISTRATION**

Persons covered by sections 290 PC, 457.1 PC, or 11590 H&S are required by law to register with the appropriate law enforcement agency.

- if the person has been incarcerated less than 30 days and returns to their residence, no registration is needed; and
- if the person has been incarcerated more than 30 days or if they change residency, registration is required,

IRC/CRDF shall complete the following when an inmate covered by these sections is released:

- inform them of their responsibility to register with the appropriate law enforcement agency within five days for 290 PC registration, 14 days for 457.1 PC registration, and 30 days for 11590 H&S registration, after establishing residency;
- inform them of their responsibility to notify such law enforcement agency in person or in writing within five days for 290 PC registration, 14 days for 457.1 PC registration, and 30 days for 11590 H&S registration, after a change of address and to present their Registration Certificate for correction;
- require them to read and sign the CII Notice of Registration Certificate for correction;
- require them to read and sign the CII Notice of Registration Requirement Form (CII-4);
- obtain the address at which they expect to live; and
- distribute the signed notification forms as follows:
  - original and one copy to OAS for forwarding to DOJ;
  - copy placed in the release's jacket by release clerk; and
  - copy to releasee.

Persons registering with the Department for 11590 H&S and 457.1 PC only shall be directed to Records and Identification Bureau, Registration Unit at the Public Service Unit Counter Monday through Friday (excluding holidays) (please call for hours verification at (562) 345-4441. Upon their arrival, Records and Identification Bureau shall:

- Livescan the registrant with the Registrant process;
- take a front and profile photograph of the registrant during the Livescan process (Livescan will automatically transfer the subject's fingerprints and photographs to DOJ); and
- provide the registrant with a Registration Receipt, printed from the Livescan.

Persons registering with the Department for 290 PC, sex offender registration only, shall be directed to the Station closest to their place of residence. Station detective personnel shall register persons who committed crimes against adults. Personnel from Special Victims Bureau shall register those who committed crimes against juveniles. The only exception to this general rule involves registration as a result of a conviction for offenses that may include child victims but are investigated by Station detectives. Since the case assignment responsibility of such offenses rests with Station detectives, regardless of the age of the victim, Station detectives have the responsibility of conducting the registration.

For registrations to be conducted by the Special Victims Bureau, direct the person to call between 0730 - 1530 hours, Monday through Friday (excluding holidays). Special Victims Bureau will set up an appointment and will meet the registrant at the Station.

#### **5-03/160.05 SEX REGISTRANT PROCEDURES**

Upon receipt of a Notice of Sex Registration requirement from CII, Records and Identification Bureau (RIB) shall send it to the appropriate Sheriff's Station having jurisdiction where the registrant resides.

When the registrant reports for registration, the Station detective Unit or Special Victims Bureau, as appropriate, shall:

- obtain two BCII-5 Registration Fingerprint Cards and two photographs of the registrant; and
- retain one fingerprint card and one photograph of the registrant for Station or Special Victims Bureau files.

#### **5-03/165.00 TRANSPORTATION OF PRISONERS**

The subsections which follow outline the procedures involved in the transportation of prisoners to various locations and under varying conditions.

### **5-03/165.03 USE OF SAFETY BELTS**

All prisoners shall wear factory installed, or Department authorized and installed, safety belts when being transported in a County vehicle. When encountering the two-part (separate) shoulder and lap safety belts which are equipped in the rear seats of some patrol cars, both the shoulder and lap harnesses shall be utilized, as designed, to secure prisoners for transport.

This order does not apply to prisoners/passengers on County transportation buses or to prisoners/passengers with physically disabling or medical conditions which would prevent the proper utilization of factory installed, or other Department authorized, safety belts.

### **5-03/165.04 TRANSPORTING PRISONERS IN VEHICLES WITHOUT SECURITY SCREENS**

Prisoners shall not be transported in vehicles without security screens except in the case of exigent circumstances or where a secure Sheriff's Department vehicle is not available.

When it is necessary to transport a prisoner absent exigent circumstances in a vehicle without a security screen, the following provisions shall apply:

- two Deputies must be present in the vehicle at all times,
- the vehicle's rear passenger doors shall be locked/secured,
- all occupants of the vehicle shall be secured with a seat belt,
- two Deputies shall not transport multiple prisoners.

The recommended seating configuration for occupants in Department vehicles without a security screen is to place the prisoner in the right, rear passenger seat with a Deputy in the left, rear passenger seat directly behind the driver.

When, in the judgment of both Deputies, officer safety would be compromised or a safety hazard would be created by this seating configuration, the configuration may be changed to afford the Deputies a greater margin of safety. Absent exigent circumstances, Deputies shall obtain authorization from a supervisor prior to transporting a suspect unaccompanied in the rear passenger seat.

The passenger deputy may safely secure his firearm in the vehicle's trunk or retain his weapon holstered during transportation. Deputies retaining their firearm shall remain cognizant of weapon retention and officer safety principles.

### **5-03/165.05 STATIONS TO IRC/CRDF**

Court Services Transportation Bureau shall deliver prisoners to IRC/CRDF on all court

days. Transportation arrangements shall be made with Court Services Transportation Bureau for juveniles and female prisoners.

All requests for transportation shall be made via JDIC and shall include any unusual information, e.g., suicidal, sick, injured, mental, "keep-aways," etc. Requests for transportation of juveniles shall include a "mandatory pickup time."

The following procedures shall be observed by the Station jailer in the processing of prisoners to be transported to IRC/CRDF:

- place the prisoner's property in the property bag;
- place all paperwork concerning the prisoner, except Station (white) copy of the B&PR, in the envelope; and
- fill out Transmittal Sheet:
  - original and two copies to the transportation Deputies; and
  - one (last) copy in property bag when picked up by transportation Deputies.

The transportation Deputies shall sign the transmittal sheet, receipting for the number of prisoners and locked property bag. In addition, they shall sign the Station (white) copy of the B&PR as the transporting officer. Upon signing the transmittal sheet and B&PR, the responsibility for the prisoners and property is transferred from the Station to the Court Services Transportation Bureau. Station jailers shall assist transportation Deputies in a backup role as the Transportation Deputies handcuff the prisoners and load the prisoners and property into the transportation vehicles.

#### **5-03/165.07 DELETIONS FROM INMATE TRANSFER LISTS**

Inmates' names shall not be deleted from any inmate transfer list (i.e., transmittal sheets, teletypes, court lists, etc.) without accounting for the actual location of the inmate. The person making the deletion shall be accountable for verifying the location of the inmate prior to making the deletion.

Whenever an inmate's name is deleted from a transmittal sheet, the person making the deletion shall sign his name and employee number legibly next to the deletion and provide a brief reason for the deletion next to his signature.

#### **5-03/165.10 STATION TO COURT**

Station prisoners shall be transported to court by Station personnel when possible. Court Services Transportation Bureau shall provide transportation when the number of prisoners exceeds the capabilities of the Station.

Requests for transportation to a local court shall be sent via JDIC prior to 0600 hours.

In preparation for the transportation of prisoners to court, the Station jailer shall:

- place the three fingerprint cards in envelope;
- obtain prisoner's right-hand flat prints on reverse side of Station (white) copy and on Records and Identification Bureau (blue) copy of the B&PR;
- release prisoner, cash, property and envelopes to court Deputy or transportation Deputies; and
- the Deputy transporting the prisoner to court shall sign the Station (white) copy of the B&PR indicating the number of property envelopes received.

### **5-03/165.15 STATION TO LAC/USC MEDICAL CENTER**

The Station shall:

- arrange for delivery of the prebooked prisoner to the jail ward; and
- forward three fingerprint cards with Records and Identification Bureau (blue) copy of B&PR (SH-J-293) to the Records and Identification Bureau, Attn: Fingerprint Section.

The transporting officer shall:

- deliver the prisoner to the jail ward officer;
- deliver cash, property, form envelope and all warrants, commitment papers, etc., to the jail ward officer;
- if transported by Station personnel, return the Station (white) copy of the B&PR with the signature of the jail ward officer to the Station; and
- if transported by Transportation Bureau, make appropriate entries on the transmittal sheet.

The jail ward officer shall sign the Station (white) copy of the B&PR or the transmittal sheet for the prisoner.

If not prebooked, refer to section 5-03/040.00.

Refer to section 5-03/055.00 when a prisoner is unable to complete next-of-kin notification.

### **5-03/165.20 WARRANT CASES TO OTHER JURISDICTION**

In those instances where a prisoner is in custody on a warrant or warrant abstract requiring his presence in another jurisdiction (e.g., arrest in Newhall on authority of an El Monte Municipal Court warrant), the concerned agency shall, upon notification, respond for a pickup of their warrant arrestee at the arresting agency.

### **5-03/170.00 REMOVAL OF PRISONER FROM COUNTY JAIL BY COURT ORDER**

The following procedures shall be observed in compliance with a legal removal order wherein a prisoner is taken from the jail or other place of confinement to another specified place for a specified reason.

Section 4004 of the Penal Code states that a prisoner committed to the County jail for examination or upon conviction for a public offense, must be confined in the jail until he is legally discharged. During the pendency of a criminal proceeding, the Superior Court, Municipal Court, or a Justice Court, before which said proceeding is pending, may make a legal order, for good cause, for the removal in the custody of the Sheriff. After conviction, only the Superior Court may make a legal order, for good cause, for the removal.

### **5-03/170.05 ARREST WARRANT - JUVENILE (4004 PC)**

Prisoners are remanded to the custody of the Sheriff pending arraignment and preliminary hearing; 4004 PC would only apply after arraignment. Prior to this, the court has no jurisdiction regarding removal; however, if the prisoner has been arraigned on another charge, a legal removal order would be necessary from the committing Municipal Court or a Superior Court. Exceptions to pre-arraignment may be to visit a critically ill family member or attend a funeral, etc.

The conviction of a prisoner is complete once the clerk has read the verdict and the judge has accepted the finding. The court maintains jurisdiction, and 4004 PC still applies until sentencing has been completed and the court relinquishes control.

If probation is part of the sentence, the court retains jurisdiction during commitment to the County jail.

An arrest with a warrant is not a proceeding that brings the provisions of 4004 PC into effect; the prisoner must first be arraigned on the warrant. If a complaint has been filed but the prisoner has not been arraigned, it is not necessary to obtain a removal order.

Juvenile offenders are committed to the custody of the Probation Department and any removal shall be coordinated through that department.

### **5-03/170.10 DEPARTMENT RESPONSIBILITIES**

No member of this Department shall remove a prisoner committed to the County Jail system during that time when 4004 PC is in effect, except in compliance with a legal removal order. The County jail system includes all Custody Division facilities and all Station facilities.

Any requests by outside agencies to interview, question or interrogate a prisoner remanded to the County jail system in any place other than the jail system shall be by court order only.

No member of this Department shall obtain or cause to be obtained a legal removal order without the expressed permission of his concerned Division Chief. Members of this Department may remove pre-arraigned prisoners from the jail system for routine investigative purposes; however, any removal of a prisoner in compliance with a request from state and federal agencies shall be by permission of the Chief of the concerned Division in which custody is maintained.

Notwithstanding, state and federal agencies are not to be restricted in the removal of their prisoners provided this Department has no jurisdiction.

#### **5-03/170.15 DUTIES OF RESPONSIBLE OFFICERS**

The responsible Deputies shall be in immediate physical control of prisoner. The responsible Deputies shall NOT permit a prisoner to:

- go or be taken to any place other than specified in the order;
- meet with any persons not specified in the order;
- be posed for photographs not specified in the order; or
- visit or converse with any persons not specified in the order.

#### **5-03/170.20 ATTEMPT TO DEVIATE FROM ORDER**

Any person who attempts to cause a deviation from the specific instruction of the order shall be advised to seek recourse from the court of jurisdiction.

It shall be sufficient cause to return the prisoner to the County Jail if there is a continued effort to deviate from the order.

A detailed memo shall be submitted by the responsible Deputies covering any unusual incidents which occur during the execution of the order.

#### **5-03/170.25 CAPITAL OFFENSE CHARGES AND CASES INVOLVING GREAT NOTORIETY**

All cases wherein the prisoner is charged with a capital offense or where great notoriety is involved, the prisoner shall be in the physical control and custody of no less than two Deputies during the execution of the removal order. Extreme care and precaution will be exercised when handling prisoners that are known to be extremely dangerous and/or high escape risks. Prisoners classified as such shall be transported separately.

### **5-03/172.00 REQUEST FOR REMOVAL OF PRISONERS FROM STATE INSTITUTIONS**

Requests to remove state prisoners from custody to assist with investigations causes a significant risk of liability for the Department.

All Department members requesting a prisoner's release to assist in law enforcement functions shall observe the following procedures:

- the Department member shall prepare a letter to the state institution for the approval and signature of the concerned Unit Commander;
- once the request has been approved by the Unit Commander, but prior to the Unit Commander's signature, a packet containing the letter, a brief statement of facts, supporting documents (including federal, state and local criminal history and all other paperwork pertinent to the case) shall be prepared by the Department member and forwarded via the Unit Commander to the concerned Division Chief;
- if the concerned Division Chief concurs with the request, the packet will be returned to the originating Unit so that the Unit Commander can sign and process the letter for the state institution; and
- a copy of the completed letter will be sent to the Unit Commander's Division Chief for information only.

### **5-03/175.00 SPECIAL HANDLING OF PRISONERS**

Members of this Department shall, upon receiving information that a particular inmate may require special handling, adhere to the following in order that a uniform procedure be established and personnel will be cognizant of the type of prisoner being handled.

The Inmate Reception Center and Century Regional Detention Facility shall be responsible for maintaining a central file for their facility inmates and for disseminating information to concerned Units regarding prisoners who require special handling because they are potential security risks.

### **5-03/175.05 SPECIAL HANDLING REQUEST FORM AND RESPONSIBILITIES OF IRC/CRDF**

Personnel requesting special handling for a prisoner shall complete an Inmate Special Handling Request (SH-J-181), and submit it to their Watch Commander for approval. Completing the form does not ensure that the prisoner will be designated as a special handling prisoner; however, for the safety of all concerned, this form will ensure that the information was forwarded to and evaluated by appropriate personnel.

Requests to have prisoners placed on special handling status shall be made at the IRC/CRDF Reception Centers only. Telephone requests will be accepted provided a JDIC message confirmation is made to the IRC Watch Commander or CRDF Reception Sergeant within 24 hours. Any reception center personnel receiving a special handling request shall refer the person submitting the request to the concerned Watch Deputy.

Persons requesting the placement of inmates on status "H," "Z," "E (red)," "V," "K-10," "K-9" or "K-1," are to realize that these inmates must be escorted at all times thereafter; and also, depending on keep-away classification, require segregation during transportation and at the court lockup.

Upon receiving a request, the Watch Deputy (IRC/CRDF) shall contact booking front (if a new booking) and advise them to isolate the inmate pending special handling disposition.

### **5-03/175.10 COMPLETING THE SH-J-181**

Information on the SH-J-181 should be printed or typed to eliminate any errors caused by illegible handwriting.

- check one or more of the reasons listed for justifying special handling;
- give attention to the note found under "Keep Away;"
- keep-aways will not be acceptable with an "Until Released Date" without written approval of the IRC/CRDF Watch Commanders. Whenever possible, they must have a date beyond which the keep-away will no longer be required;
- keep the reasons, the information received or action taken by the prisoner to warrant special handling concise;
- badge number which a Department requires on reports; serial number, employee number, badge number, etc.;
- phone number shall be the requestor's business number where he may be contacted; and
- special handling requests will not be acceptable without the requestor's Watch Commander's signature.

### **5-03/175.20 SPECIAL HANDLING PURGE AND REVIEW FUNCTIONS**

The IRC Watch Deputy, IRC Liaison and CRDF Classification Sergeant shall update/purge the special handling cards under the following circumstances:

- the inmate's keep-away(s) have been released from custody (K-2 through K-5 only); and
- the originator of the special handling request wants the inmate declassified or reclassified.

IRC Liaison and CRDF Classification Sergeant will review all new and purged special

handling cards for completeness and validity. They will make required modifications in newly assigned special handling codes and will also initiate special handling requests based on information obtained from their own investigations and interviews with inmates.

### **5-03/175.25 REPORTING OF INMATE'S EXPOSURE TO AIDS AND OTHER COMMUNICABLE DISEASES**

Deputy personnel who observe or are informed of activity in a jail facility (includes Station jails, court lockups, etc.) that may cause the transmission of AIDS or other communicable diseases shall take immediate action as appropriate by reporting this to the facility Commander on a "Report of Activity Known to Cause Transmission of AIDS." A copy of this report shall be forwarded to the Chief Physician, Medical Services.

Reportable activities include, but are not limited to:

- sexual activity resulting in the exchange of bodily fluids;
- IV drug use;
- incidents involving injury to inmates or personnel in which bodily fluids are exchanged;
- tampering with medical and food supplies or equipment; and
- inmates who state they are infected or have been exposed to AIDS, an AIDS-related condition or other communicable diseases.

All information, including information contained in other reports concerning the same incident, shall remain confidential. All employees shall maintain the confidentiality of inmate personal data except for disclosure as may be necessary to obtain medical or psychological care or to pursue a court or administrative hearing.

Each Unit Commander shall develop Unit orders concerning inmates in the facility who have been exposed to or infected by AIDS, an AIDS-related condition or other communicable diseases and disseminate to all employees, contract personnel and volunteers who may have had direct contact with the inmate, or with bodily fluids from such inmate.

#### **Inmate Requests for HIV Testing of Other Inmates**

Deputy personnel shall advise any inmate who alleges that he has come into contact with the bodily fluids of another inmate of his right to request HIV testing of the other inmate.

Any inmate who requests HIV testing of another inmate shall be advised to complete the "Inmate Request for HIV Testing of Other Inmates" form and submit it to the facility Commander.

All inmate requests shall be processed in a timely manner. A copy of the inmate's request shall be forwarded to the Chief Physician, Medical Services. It is the

responsibility of the facility to log the request by date and time and to transmit the inmate's request to the Los Angeles County Director of Health Services. This transmission shall be made as soon as practical.

### **5-03/175.30 SEGREGATION OF PRE-ARRAIGNED INMATES**

Pursuant to California Penal Code section 4030 and the policy of the Los Angeles County Sheriff's Department, any and all pre-arraigned inmates charged with an infraction, misdemeanor, or felony, shall not be subjected to a strip or visual body cavity search before arraignment. However, there are some exceptions, which allow pre-arraigned inmates to be strip searched (refer to Custody Division Manual section 5-08/010.00, "Searches" for specific exceptions). Due to the large number of inmates housed within the Los Angeles County Sheriff's Department jail system, the following Department Policy is required in order to ensure pre-arraigned inmates are not inadvertently strip searched.

A yellow wristband loop shall be utilized in order to signify inmates that are pre-arraigned. The yellow wristband loop shall be placed and secured around the inmate's current Los Angeles County Jail wristband. Inmates with these yellow wristband loops shall be considered pre-arraigned inmates and shall not be subject to general strip searches.

NOTE: Deputies who knowingly conduct strip searches or visual body cavity searches of pre-arraigned inmates will be in violation of this policy.

It shall be the responsibility of all agencies booking prisoners into the Los Angeles County Jail System to ensure that yellow wristband loops are applied to their pre-arraigned inmates prior to transporting to any Sheriff Department Facility. Sheriff's Department personnel shall ensure that outside agencies are in compliance with this policy prior to accepting any inmates.

A separate pre-arraigned inmate transmittal shall be completed by the originating Facility/Agency when transporting pre-arraigned inmates between Facilities. This transmittal shall be clearly marked "Pre-Arraigned Inmates."

Due to the increased risk of pre-arraigned inmates bringing contraband into the jail, these inmates shall be kept separate from general population inmates except when being transported to or from court and when **new booking** inmates are being processed at a Station Jail or the Inmate Reception Center.

#### **Station Jail Responsibilities**

It shall be the responsibility of the Station Jailer to ensure that pre-arraigned inmates (excluding those inmates not needing arraignment e.g., parole violations, probation violations, etc.) have a yellow wristband loop applied, prior to transportation to court and/or the Inmate Reception Center.

### Court Services Division Responsibilities

Pre-arraigned inmates that are transferred to court from the Inmate Reception Center, Station Jail, or outside agency will already have a yellow wristband loop in place. **Once the inmates are arraigned Court Services personnel shall remove the yellow wristband loop.** *If the inmates are not arraigned, the yellow wristband loop shall remain in place.* These inmates who return to the Inmate Reception Center and retain a yellow wristband loop, shall be placed on a separate transmittal by court services personnel.

### Court Services Transportation Responsibilities

Court Services Transportation personnel can combine general population inmates and pre-arraigned inmates only when transporting inmates to or from court. Upon arrival at the Inmate Reception Center, it is the responsibility of Court Services Transportation to separate the pre-arraigned inmates that have yellow wristband loops from the arraigned inmates. Any discrepancies with the transmittal and yellow wristband loop shall be brought to the attention of a Court Services supervisor.

### Custody Division - Inmate Reception Center Responsibilities

Unless there are court documents noting that the inmates have been arraigned, new booking inmates from outside agencies, or transfers directly from Station Jails or County hospitals, shall be treated as pre-arraigned inmates (excluding those inmates not needing arraignment e.g., parole violations and probation violations). Inmate Reception Center personnel shall ensure that a yellow loop is in place for these pre-arraigned inmates. Pre-arraigned inmates shall then be processed under normal conditions until the inmates are separated and assigned to their specific housing locations. Once the pre-arraigned inmates with a yellow loop are processed, they shall be separated and escorted to the pre-arraigned inmates' designated housing area. *It is the responsibility of transporting personnel to ensure pre-arraigned inmates are separated immediately after processing and escorted to their designated housing area.*

Inmates arriving from court that are pre-arraigned and have previously been housed, shall be separated immediately upon arrival at the Inmate Reception Center. These inmates shall be escorted to the designated housing area, bypassing the strip search process. This does not preclude personnel from conducting a cursory search.

**Inmates returning from court that are housed in the pre-arraigned inmate housing area, and are no longer pre-arraigned, shall be "remoded" and sent to an appropriate housing location.**

Pre-arraigned inmates arriving at the Inmate Reception Center for transportation to court shall be separated from other inmates until they are transported to court.

### Custody Division - Designated Housing Area Responsibilities

The designated housing area shall be responsible for receiving all pre-arraigned inmates. Upon arrival at the designated housing area, these inmates shall not be subjected to a strip search unless specifically authorized per Custody Division Manual section 5-08/010.00, "Searches." As stated above, these pre-arraigned inmates shall be escorted and housed separately from general population or other special handling inmates.

It shall be the responsibility of the Custody Services Division Chiefs to determine the specific Facility designated to house pre-arraigned inmates.

If an inmate deliberately removes a yellow wristband loop, an Inmate Incident Report (SH-J-213) shall be prepared detailing the violation. If removed, line personnel shall confirm the inmate's pre-arraigned status and replace it in a timely manner.

### **5-03/180.00 DECEASED PRISONERS**

The subsections which follow detail the procedures involved in the handling of the body and property of the deceased prisoner. Also included is disposition of the property of prisoners who become ill while in the custody of transportation officers.

### **5-03/180.05 DEATH NOTIFICATION WITHIN THE DEPARTMENT**

The Inmate Death - Reporting and Review Process policy applies to all inmate deaths that occur in Custody Division jail facilities, or deaths of inmates who are under the purview of the Custody Division, in Court Services Division lock-ups, Correctional Services Transportation vehicles, and the station jails.

In the event of an inmate/prisoner death, the watch commander of the unit, at the time of the inmate death, shall be responsible for making all telephonic notifications of the death and all pertinent information, within 30 minutes of the inmate being pronounced dead, to the following units/personnel:

- Concerned division chief, when death occurs at the hands of another inmate or a staff member(s);
- Area commander;
- Unit commander;
- Homicide Bureau;
- Custody Compliance and Sustainability Bureau or Sheriff's Information Bureau, if after business hours;
- Internal Affairs Bureau on-call lieutenant (via Sheriff's Information Bureau Media Section after hours), in cases of death following contact with a Department member, and other circumstances as detailed in the Department Manual of Policy and Procedures, section 3-10/100.00, "Use of Force Reporting and Review Procedures;"
- Inmate Reception Center - Custody Division Log;
- Sheriff's Information Bureau Media Section - Department Operations Log;
- Sheriff's Medical Services 24-hour Nursing Desk, Medical Services Building; and
- Risk Management Bureau - Civil Litigation Unit.

## Next-of-Kin Notification

Follow procedures found in sections 5-09/090.30 Notification of Next-of-Kin and 5-09/090.35 Death Notifications of Foreign Nationals.

## **5-03/180.10 PERSONAL PROPERTY DISPOSITION**

All personal property of the deceased prisoner other than that which is stored at IRC or CRDF shall be disposed of as follows:

- property on the body shall be the responsibility of the Deputy having the body in his custody at the time the body is turned over to the Coroner. This Deputy shall be responsible for obtaining two copies of the Coroner's Receipt (76C622) for all items of personal property on the body. The receipts shall be distributed as follows:
  - the pink copy shall be attached to the Unit file copy of the Incident Report; and,
  - the blue copy shall be given the same URN as the Incident Report and shall be forwarded to RIB for inclusion in the case file;
- other property at the Unit shall be the responsibility of the Watch Commander of the Unit having the prisoner in custody at the time of death. The Watch Commander shall see that all personal property of the deceased prisoner which is not on the body is immediately collected:
  - when feasible, other property which is immediately available (e.g., property in the prisoner's quarters, cash in safekeeping for a trusty, property which was to have been sent to IRC, etc.) should be turned over to the Coroner at the time the body is picked up and should be itemized on the Coroner's Receipt;
- other property remaining at the Unit shall be delivered to the Coroner's main office as soon as possible. When it is known, the Coroner's case number shall be indicated on the property. Two copies of the Coroner's Receipt shall be obtained:
  - the pink copy shall be retained as the Unit file copy; and
  - the blue copy shall be given the same URN as the Incident Report and forwarded to RIB for inclusion in the case file.

"Trust Account" money belonging to the deceased shall immediately be routed back through Fiscal Administration to the IRC cashier, together with an explanatory memo. The Unit having such unreceipted trust money shall immediately notify the Coroner's main office by phone that additional money belonging to the deceased will be forthcoming from the IRC cashier. The memo shall indicate that such notification has been made.

- property en route that is in the care of a transportation Deputy shall be the responsibility of that Deputy;

- if a prisoner is en route to IRC/CRDF and is removed from the transportation vehicle due to serious illness or death, his property shall be delivered to IRC for handling;
- when property of a prisoner is transported with the prisoner to a custodial facility outside of L.A. County and such prisoner is removed from the transportation vehicle en route because of death or serious illness, the following shall apply:
  - if the prisoner is dead, the body and all property of the deceased shall be turned over to the Coroner in charge and two copies of the Coroner's Receipt shall be obtained for the property. One copy of the receipt shall be retained for the Unit file, and the other shall be given the same URN as the Incident Report and forwarded to RIB for inclusion in the case file; or
  - if the prisoner is seriously ill and is not delivered to the intended destination, the prisoner's property shall be returned to IRC/CRDF together with a memo of explanation which shall include the name and address of the medical facility to which the prisoner was taken.
- property stored at IRC/CRDF:
  - upon receipt of notification of the death of a booked prisoner, the cashier in charge shall be responsible for immediately collecting all stored property of the deceased;
  - this stored property shall be delivered to the Coroner's main office as soon as possible and two copies of the Coroner's Receipt obtained for it. The receipts shall be distributed as follows:
    - the pink copy shall be retained as the IRC cashier's file copy; and
    - the blue copy shall be given the same URN as the Incident Report and shall be forwarded to Records and Identification Bureau for inclusion in the case file;

NOTE: When cash is included in the property delivered to the Coroner, two copies of the Cash Receipt shall be obtained for same and both copies returned to the cashier. Trust Account money returned from other Units shall be handled in the same manner..

- property Held by the Sheriff's property custodian:
  - upon receipt of notification of the death of a prisoner, the property custodian shall be responsible for immediately collecting any personal property of the deceased prisoner which may be held in storage at the custodian's office. Such property shall be immediately turned over to the Coroner; and
  - the property custodian shall obtain two copies of the Coroner's Receipt for such property. The receipts shall be distributed as follows:
    - the pink copy shall be retained as the custodian's file copy; and
    - the blue copy shall be given the same URN as the Incident Report and shall be forwarded to RIB for inclusion in the case file.

**5-03/180.15 CUMULATIVE CASE SUMMARY DISPOSITION**

When the deceased prisoner was booked prior to the time of death and was subsequently assigned to a custody facility, it shall be the responsibility of the Unit having custody to forward the cumulative case summary, if there is one, together with a cover memo, to Custody Division Headquarters. The concerned Custody Division shall be responsible for closing out the cumulative case summary.

IRC shall be responsible for closing out the jail records jacket upon notification of a prisoner's death.

### **5-03/185.00 ESCAPED ADULT PRISONER**

This section outlines procedure in reporting escapes by adult prisoners (18 years of age or older).

#### **5-03/185.05 ESCAPE PRIOR TO BOOKING**

The following procedure shall be used when an adult escapes from custody following a remand order by a magistrate, but prior to booking:

- prepare an Incident Report (SH-R-49);
- URN shall be for the crime of escape [836.6(a) PC];
- assignment will be to Major Crimes Bureau;
- a broadcast via JDIC to areas 100, 200, 300 and XLOC (all of L.A. County) may be made, if warranted, depending upon the crime for which the prisoner was remanded, the circumstances involved and the identification information available; and
- Sheriff's Headquarters Bureau shall immediately notify the Watch Commander of the arresting Agency/Station to enable timely notification to victims and/or witnesses in accordance with that Agency's policies.

The following procedure shall be used when an adult escapes from custody after an arrest, but prior to booking:

- prepare an Incident Report (SH-R-49);
- URN shall be for the crime for which the escapee was originally arrested;
- "add charge" the crime of escape [836.6(b)PC];
- assignment will be to the Unit specified for the original (arrest) crime;
- a broadcast via JDIC to areas 100, 200, 300 and XLOC (all of L.A. County) may be made, if warranted, depending upon the crime, the circumstances involved and the identification information available; and
- Sheriff's Headquarters Bureau shall immediately notify the Watch Commander of the arresting Agency/Station to enable timely notification to victims and/or witnesses in accordance with that Agency's policies.

Booked is interpreted to mean either fingerprinted, booking number issued or photographed.

NOTE: For purposes of this section, a prisoner is considered “booked” only after the receiving facility’s booking procedures have been completed and the prisoner has been accepted. An arrestee shall be deemed “not booked” if he/she escapes while in transit to the booking facility and/or prior to acceptance at a facility.

### **5-03/185.10 ESCAPE AFTER BOOKING AND ERRONEOUS RELEASE**

This report shall contain the following:

- Classification;
- case assignment;
- name and assignment of officer who can identify the escapee;
- name and assignment of Department member who last observed the prisoner;
- name and assignment of Department member who discovered the prisoner missing;
- name and assignment of Department member who ordered and conducted the search of the area in which the prisoner was last observed;
- custody status at time of escape;
- category of escape (to be included on the classification line of the report). Each incident of escape shall be reported under one of the following categories, that which most clearly matches the escape incident; and
- name, employee number, and assignment of Department employee who entered the escapee’s personal information into JDIC/AJIS indicating their new status (escaped, erroneously released, etc.).

#### **Escape - High Security**

Any escape from hard-lock confinement, a transportation vehicle, Station jail, court lockup or from a Deputy Sheriff or civilian employee of this Department having lawful custody.

#### **Escape - Medium Security**

Any escape from a secured compound not constituting a hard-lock area, including escapes from the Pitchess Detention Center-South Facility.

#### **Escape - Minimum Security**

Any escape of a minimum security inmate assigned, or as a trusty on work detail outside of a secured compound, including Station trusties.

### Escape - Work Furlough/Temporary Release

Any incident wherein an inmate fails to report back to custody from work within the specified time allowance, or an inmate fails to return from temporary release.

### Escape - Attempt

Any interrupted effort to escape, resulting in the capture of the inmate prior to realization of such escape.

### Escape - Other

Any escape from a confinement area, vehicle or courtroom under supervision of an officer or from the lawful custody of an officer, other than a Deputy Sheriff.

### Erroneous Release

Any incident wherein an inmate is mistakenly released from custody without malice on his part.

If circumstances indicate that the inmate concerned played a substantial role in gaining release or initiated the release process through his own action, the incident shall be classified in the appropriate escape category listed above.

Any incident where an inmate leaves the lawful confines of a custodial facility, Station compound or work location, regardless of the intent to voluntarily return or the completion of a voluntary return, shall be construed as an escape and shall be classified in the appropriate category.

The escape or attempted escape of an inmate from a Custody Unit, Transportation Bureau or any criminal court shall be reported immediately to Inmate Reception Center (IRC), by the facility or Unit from which the escape occurred. The escape or attempted escape of a prisoner assigned by the Custody Division to any facility, other than a Custody Unit, in a trusty status, shall also require immediate notification to IRC by the facility or Unit from which the escape occurred. These notifications shall be in addition to any other notifications found in escape situation procedures.

The facility from which the escape occurred shall immediately notify Major Crimes Bureau by telephone, advising of complete prisoner identification and incident information, including any force or injury. Notification shall be noted in report. When an inmate is returned, Major Crimes Bureau shall be notified immediately and that notification shall be included in the report concerning the capture. The report shall be sent to Major Crimes Bureau via JDIC as soon as possible.

### Additional Responsibilities - Notifications

Sheriff's Headquarters Bureau personnel shall immediately notify the Los Angeles County District Attorney's Office Command Post of all inmate escapes, erroneous releases, and captures. In addition, the Sheriff's Headquarters Bureau shall notify the Watch Commander of the arresting Agency/Station and request the investigating officer contact Major Crimes Bureau personnel without delay.

Booked is interpreted to mean either fingerprinted, booking number issued or photographed.

NOTE: For purposes of this section, a prisoner is considered "booked" only after the receiving facility's booking procedures have been completed and the prisoner has been accepted. An arrestee shall be deemed "not booked" if he/she escapes while in transit to the booking facility and/or prior to acceptance at a facility.

### **5-03/185.15 BROADCAST OF ESCAPE**

A broadcast via JDIC to Areas 100, 200, 300 and XLOC (all of L.A. County) shall be made immediately by the Unit from which the escape was detected. If a custody facility is involved, the broadcast shall be initiated by the patrol Station assigned.

The broadcast shall include:

- name and address of escapee;
- complete physical description;
- any unusual descriptive facts (e.g., addict, mentally disturbed, dangerous, etc.);
- CII and FBI numbers; and
- criminal record, if considered of value.

IRC/CRDF shall be immediately notified by telephone. Notification shall include the booking number.

### **5-03/185.20 WORK PROGRAM - FAILURE TO APPEAR**

Under the provision of Penal Code section 4024.2, qualified inmates may be released from custody to perform labor on the public works and ways in lieu of confinement. Should a program participant fail to appear at his assigned job site, the Deputy supervisor, after reasonable effort to solicit program completion, shall:

- complete an Incident Report (SH-R-49) alleging violation of 4024.2 PC, "Failure to Complete Public Works Program," requesting an arrest warrant; and
- forward the SH-R-49 and all pertinent material to the Jail Investigations Unit.

### **5-03/185.25 ESCAPE DATA - MAJOR CRIMES BUREAU RESPONSIBILITY**

The Major Crimes Bureau shall be responsible for the collection and dissemination of escape related data. Pertinent information will be extracted from all notifications and reports for each escape or attempted escape.

Quarterly reports summarizing escape data shall be prepared and distributed only to the Sheriff, Undersheriff and the Assistant Sheriff(s).

### **5-03/190.00 INMATE CORRESPONDENCE**

All inmate mail, both incoming and outgoing, will be inspected. A certain degree of judgment must be employed in the method of mail inspection without endangering the integrity of facility security.

Federal inmates in our custody shall be governed by standards as required by the federal government (refer to section 5-03/190.30).

### **5-03/190.10 REGULATIONS - WRITING PERSONAL CORRESPONDENCE**

The following rules and standards shall be employed by all inmates when writing outgoing letters:

- lead pencils shall be used;
- there shall be no limitation placed on the number of personal letters allowed per day except by order of the Custody Services Division Chiefs;
- letters shall not contain any form of contraband, threats, intimidation, escape plans, possible criminal information or any violation of state or federal law;
- return address shall appear on outside of the envelope and shall contain:
  - name;
  - booking number;
  - module;
  - P.O. Box number; and
  - any additional information deemed necessary by the facility;
- letters shall not contain discussion of cases concerning other inmates.

### **5-03/190.15 CORRESPONDENCE BETWEEN INMATES**

Permission to write to an inmate in the County Jail or other institutions is not necessary. Other institutions may return mail if in violation of their rules.

### **5-03/190.20 REQUIREMENTS OF THE INCOMING MAIL INSPECTION OFFICER**

The method and inspection procedure of incoming mail shall be determined by the individual facility/Unit Commander. Mail Inspection Officers may be any member of this Department.

The following shall be the responsibilities of the Mail Inspection Officer:

- inspect all incoming inmate correspondence;
- any enclosure of currency, bank drafts, money orders, checks or other negotiable instruments shall be handled in accordance with Department policy (see section 5-03/200.15 - Incoming Money);
- any contraband item or suspicious material that cannot be resolved by the Mail inspection Officer shall require a supervisor's dispositions;
- all processed mail shall be expediently routed to the addressee;
- photographs (snapshots) may be given to inmates; and
- books, papers, or periodicals acceptable through the U.S. mail are permitted.

#### **5-03/190.25 REQUIREMENTS OF THE OUTGOING MAIL INSPECTION OFFICER**

The following responsibilities shall be of concern to the Mail Inspection Officer of outgoing inmate mail:

- all outgoing inmate correspondence will be inspected;
- violation of any part of section 5-03/190.10 shall cause to return the letter to the sender;
- some identifying device, as prescribed by the facility/Unit Commander, shall be employed to indicate that the letter was inspected; and
- all processed mail shall be deposited with the U.S. Postal Service System without undue delay.

#### **5-03/190.30 FEDERAL PRISONER CORRESPONDENCE REGULATIONS**

Any incoming or outgoing mail that discloses evidence listed below shall be withheld and reported to the U.S. Marshal or the U.S. Bureau of Prisons:

- contraband;
- escape plots or attempts;
- criminal information or activities; and/or
- violation of postal laws.

Federal prisoners will be permitted to correspond, within reasonable limits and subject to inspection, to the following:

- family members;

- friends; and
- persons necessary for preparation of upcoming trial.

As provided for in the U.S. Justice Department/Los Angeles County Contract, federal prisoners' correspondence shall not be examined if corresponding with the following entities:

- Attorney General;
- Director of the Bureau of Prisons;
- members of the U.S. Board of Parole;
- Pardon Attorney;
- U.S. Marshal;
- U.S. District Judge; and
- attorney of record.

#### **5-03/195.00 CONFIDENTIAL/LEGAL CORRESPONDENCE OF INMATES**

There shall be no limit set for the number of pieces of legal correspondence sent by any inmate.

An inmate may correspond confidentially with any of the following persons or entities:

- any state or federal court;
- any member of the State Bar (this includes out-of-state attorneys but not bar associations or legal societies);
- any holder of public office; and
- any sworn member of the Department or the Department of Corrections.

Inmates shall submit confidential/legal correspondence in unsealed, stamped and addressed envelopes.

All outgoing correspondence shall be examined for contraband, but employees shall refrain from reading the documents. The employee accepting this correspondence shall place his initials and employee number on the flap of the envelope prior to forwarding the documents for delivery. The inmate may be told that any reply will be mailed directly to him by the courts.

Legal advice, information on processing or receipts shall not be given to inmates.

Upon request, a Petition for Writ Form (SH-J-7) shall be provided to an inmate.

#### **5-03/195.05 LAW LIBRARIES FOR SENTENCED INMATES**

The Department shall establish and maintain law libraries for all sentenced inmates in

County facilities.

Main inmate law libraries shall be maintained at Men's Central Jail, North County Correctional Facility, and CRDF. Mini law libraries shall be maintained at the Century Regional Detention Facility and all Stations. Sentenced prisoners at Stations may share a common mini law library with Station personnel.

Mini law libraries shall contain a set of Annotated Vehicle Codes, Health and Safety Code, Evidence Code and Penal Code.

The law library rules shall be posted in a conspicuous place for sentenced inmates. Further Unit rules may be added to reflect special needs as long as they are not in conflict with the basic rules:

Law library rules:

- a law library is available for your use. Books are located at the facility's designated area;
- assigned areas for the use of law books shall be designated by facility;
- each inmate shall be permitted the use of law books for a minimum of two hours daily (not to conflict with assigned duties);
- legal pads and pencils shall be provided upon request. All requests shall be directed to the (designated by Unit Commander);
- legal books shall not be marked or defaced. Any inmate returning damaged books may be subject to discipline; and
- use of the law library shall be restricted to actual legal research and matters directly related to the inmate's case.

### **5-03/200.00 PROPERTY OF PRISONERS**

The subsections which follow outline the procedures for the handling of prisoner's property under various conditions.

Pursuant to Government Code section 26640, money or property booked in with an inmate and later suspected as evidence of a crime may be removed for examination or introduction into evidence by an investigating officer without obtaining the prisoner's consent and without obtaining prior court approval.

The person removing the property shall sign for the property on the reverse side of the B&PR.

### **5-03/200.03 PROPERTY RETAINED AT TIME OF ARREST**

The arresting Deputy shall, when practicable, book with the arrestee certain personal

items or items of personal identification in possession of the arrestee at the time of arrest (e.g., driver license, passport, credit cards, cellular telephone, etc...) when the items would provide proof of identification and/or facilitate the identification/booking or release procedure.

#### **5-03/200.05 PROPERTY HANDLING AT TIME OF STATION BOOKING**

All contraband or articles prohibited by law shall be taken from the prisoner.

All property not returned to the prisoner and listed on lines 18, 19 and 20 of the B&PR shall accompany the prisoner to IRC/CRDF for storage pending the prisoner's release.

The method of packaging the property shall be as follows:

- food stamps shall be inventoried and the total amount listed on the B&PR. A separate sealed envelope containing the stamps, and so labeled, shall be placed in the lower portion of the plastic bag;
- watches, glasses and similar items that are subject to damage should be placed in a 3"x5" clasp envelope before placing in the plastic bag. Identify watches by brand name;
- purses (women's and men's) shall be examined, the contents inventoried, wrapped securely (with string, if necessary), and tagged with inmate's name and booking number;
- enclose the yellow copy of the B&PR in the plastic bag so that the prisoner's name and booking number are visible;
- place property in the plastic bag and seal as close to the articles as possible, allowing at least 4" at the open end; and
- additional plastic bags may be stapled together and identified by the name and booking number on a 3"x5" manila envelope placed inside the plastic bag.

All property which is too large to fit into the plastic bags shall be handled as bulk property. The property shall be identified with a completed Property Label (SH-CR-35) and stored at the Station.

When a prisoner has no property and is transferred to IRC/CRDF, the yellow copy of the B&PR, indicating "No Property" shall be attached to the booking transmittal package.

#### **Cash**

The amount entered on line 18 for deposit, shall total all cash in the possession of the prisoner (see section 5-03/025.00) and shall be handled as follows:

- the officer booking the prisoner shall question the prisoner to ascertain that the cash removed from his possession represents all of the cash in his possession;

- in the presence of the prisoner and the jailer, the money shall be counted and verified; and
- if the money to be deposited is \$400 or more, the full amount shall be placed in the Station safe. All monies less than \$400 shall be sealed separately in an end portion of the prisoner's plastic property bag. The money envelope shall not be mixed with other items of property in the bag.

Prisoners booked directly into IRC/CRDF shall have their money directly deposited with the cashier. The transporting Deputy shall hand carry the money to the cashier's office for deposit. The Deputy shall obtain two copies of the Deposit Ticket (SH-H-251), and distribute as follows:

- green copy shall be given to the prisoner; and
- white copy shall be retained by the Deputy for inclusion into the arrest file.

#### Procedure for Handling Monies Less Than \$400

- all cash in prisoner's possession shall be placed in a money envelope. The booking officer and the jailer shall clearly write their names across the envelope before sealing it with clear tape. The outside of the envelope shall indicate, in ink, amount of cash sealed inside, prisoner's name and booking number;
- enter the amount of money in the envelope at the top left side of the B&PR with the date and time. Both the booking officer and the jailer shall sign their names below the entry;
- the booking officer shall seal the money envelope into a separate end of the prisoner's plastic property bag and turn it over to the jailer, who will place it under lock and key; and
- the booking officer shall obtain the signature of the Watch Sergeant at the top right of the B&PR and return the B&PR to the jailer.

#### Procedure for Handling Monies \$400 or More

- enter the prisoner's name, booking number and amount of money to be placed in the Station safe on the outside of the money envelope;
- enter the amount of money in the envelope at the top left side of the B&PR with the date and time. Both the booking officer and the jailer shall sign their names below the entry;
- the booking officer shall take the unsealed, noted envelope containing the cash to the Watch Commander, who shall verify the amount of money, write his name across the flap of the envelope and seal it with clear tape;
- the Watch Commander will also sign the top right portion of the booking slip and shall then place the sealed envelope in the Station safe, pending deposit to the prisoner's account. He shall then make the appropriate entry into the safe ledger;
- the booking officer shall be responsible for returning the booking slip to the jailer, who shall then be responsible for the safety of the plastic property bag; and

- at the time of the prisoner's transfer from the Station to either court or Men's Central Jail/CRDF, the money envelope shall be removed from the Station safe and sealed separately into an end portion of the prisoner's plastic property bag. The Watch Commander shall make an entry in the safe ledger reflecting the removal.

#### Jailer's Responsibility for Property Bags

The jailer shall maintain all plastic property bags under lock and key. At the close of his shift, he shall verify the packages on hand with the incoming jailer by checking the bags against the Station's copy of the booking slips held for the prisoners who are still at the Station. Once verified, the outgoing jailer shall turn over the key of the storage compartment to the incoming jailer. The incoming jailer shall then sign the Jailer's Record Form (SH-CR-452) as the jailer on duty, and that signature is verification that all property on hand is in order. The only other key to the storage compartment shall be the Station Commander's emergency key.

#### Opening of Sealed Property Package

The sealed property package may be opened in the presence of the person responsible for custody of the prisoner's property for the following reasons:

- concerned personnel's need to examine the contents;
- the prisoner requests release of property to another person; and/or
- the prisoner claims the property contains evidence that he has been erroneously arrested on a warrant.

Whenever prisoner's property is released to a person other than the prisoner, the officer responsible for the prisoner's property shall note the following information on the reverse side of the yellow copy of the B&PR:

- the prisoner's signature;
- the signature of the person receiving the property;
- date, time, name and employee number of officer authorizing the release; and
- type of identification used by the recipient.

The remaining property, cash and yellow copy shall then be placed in a new plastic container and resealed as prescribed above.

If all property and cash are released to a person other than the prisoner and the prisoner is transferred to IRC/CRDF, the yellow copy of the B&PR shall be sent to the IRC Personal Property Supervisor.

Property seized by court order or search warrant does not require the prisoner's signature.

## **5-03/200.06 HANDLING PROPERTY OF INMATES IN TRANSIT**

The sealed plastic property bags containing the property and money of inmates being transferred directly to IRC or CRDF from Sheriff Stations and court lock-ups shall be secured in padlocked and numbered canvas property bags while in transit. The canvas property bags will be supplied to Units by Court Services Transportation Bureau as needed. Empty bags shall not be stored or stockpiled at Sheriff's facilities.

Custody Division South, Inmate Reception Center, shall coordinate distribution of lockable canvas property bags and shall be responsible for their replacement and repair.

Department personnel responsible for the transfer of inmate property and money (i.e., Station jailers, court lock-up Deputies, etc.) shall place the sealed plastic property bags of the inmates being transported into lockable canvas bags and lock them at the time of transfer. The locked canvas property bags shall be transferred to Court Services Transportation Bureau personnel and transported with the inmates to IRC/CRDF. To ensure the security of the contents of the locked canvas property bags, only specified IRC and CRDF personnel shall possess property bag padlock keys.

Property and money of inmates being transferred from Stations or from outside agencies directly to court shall not be locked into canvas property bags and shall be handled separately from that of inmates being transferred to IRC/CRDF.

When transporting prisoners for outside agencies directly to IRC/CRDF, Court Services Transportation Bureau personnel shall handle property in the following manner:

- Los Angeles Police Department inmate property and money shall be secured in the lockable metal boxes provided by that agency; and
- other outside agency inmate property and money shall be secured in padlocked canvas property bags.

Sheriff's lockable canvas property bags shall not be left at outside agency facilities.

Court Services Transportation Bureau personnel shall identify the padlocked canvas property bag into which an inmate's property was placed by noting the bag number in the appropriate section of the corresponding transportation transmittal.

When a prisoner is transferred to another agency, all his property and money shall be released to that agency.

When trustees are returned to IRC for any reason, all property accumulated during their sentence shall be packaged before their release to Court Services Transportation Bureau personnel.

### **5-03/200.10 ORDER FOR RELEASE OF PRISONER'S PROPERTY**

Whenever a prisoner in a custody facility wishes to release his property and/or cash to another person, the following procedure shall apply:

- the prisoner shall completely fill out, in ink, the Order for Release of Prisoner's Property (SH-J-18) and/or the Order for Release of Prisoner's Cash (SH-J-17); and
- an officer shall:
  - review the form for completeness;
  - verify that the person who will be receiving the property has proper identification;
  - sign the form;
  - date and time stamp the back of the form; and
  - present the signed form to the person designated as the property recipient.

The form is only valid for 24 hours after being time stamped.

The property recipient shall respond to IRC, where he shall:

- present the signed form and proper identification;
- list his name, address, city and state on the back of the booking slip; and
- itemize the property received on the back of the booking slip and then initial the SH-J-18 and/or SH-J-17 and booking slip.

The IRC officer shall:

- circle the items released on the face of the Property Record; and
- staple the SH-J-18 and/or SH-J-17 to the Property Record, place them in the plastic bag and reseal the bag.

If an inmate is no longer in custody, a letter of property release authorization from the inmate must be presented with proper identification. Letters of authorization shall be taken to the Property Room Supervisor for approval to release property.

### **5-03/200.15 INCOMING MONEY**

The Inmate Reception Center mail section shall remove enclosed monies from all incoming prisoner's mail. This section shall record on the face of each envelope containing money the type, amount and disposition of the enclosed money, and deposit it into the prisoner's account.

- all cash and negotiable instruments of \$200 or less shall be deposited directly to the prisoner's account. Acceptable instruments are as follows:

- certified checks;
- money orders (Postal and Western Union);
- cashier's checks; and
- travel cheques.
- all other monies not listed above are not acceptable and are returned to the sender.

### **5-03/200.20 MISSING OR LOST PRISONER PROPERTY - CLAIMS**

After notification, the unit commander shall be responsible for having an immediate search conducted for missing property.

- The property records shall be examined to ensure that the property was received; and
- Inform prisoner or ex-prisoner if another agency is holding the property.

Property found during the search shall be handled as follows:

- Store found property with prisoner's other property;
- Inform prisoner; and
- Return found property to ex-prisoner.

If property is not found and Prisoner Claim for Missing or Damaged Property form (SH-AD-495) is completed, the following is necessary:

- Prepare Incident Report (SH-R-49), classify as "Missing Property of Prisoner," and assign an URN;
- If the facts indicate no further investigation is necessary, classify as inactive; and
- If further investigation is warranted, the Incident Report shall be active.

The assigned unit shall submit a claim to the Auditor-Controller for property not found as follows:

- Prepare a cover letter with the claim to the Auditor-Controller with copy of letter to Fiscal Administration; and
- Send cover letter and two copies each of the Incident Report, the Prisoner Claim for Missing or Damaged Property, and all supporting documents to:

Auditor Controller – Office of County Investigations (OCI)  
 500 West Temple Street, Suite 515  
 Los Angeles, CA 90013  
 (213) 893-2153

After a claim has been forwarded to the Auditor-Controller:

- Dispose of property in the prescribed manner if the claim has been processed and settled; and
- If the claim has not been processed or settled, it shall be closed. Use recovered property procedure.

The assigned unit shall notify the Auditor-Controller immediately by telephone, followed by a supplemental report when missing property is found.

### **5-03/200.25 DAMAGED PROPERTY**

The Unit Commander shall be responsible for having an immediate investigation conducted upon notification that a prisoner's property is damaged.

- the property records shall be examined in an attempt to determine condition of property when received;
- complete Incident Report (SH-R-49), classify as "Damaged Property of Prisoner," and assign an URN;
- if the facts indicate no further investigation is necessary, classify as inactive; and
- if further investigation is warranted, the Incident Report shall be active.

Distribution of Inactive Incident Reports shall be as follows:

- original to Records and Identification Bureau; and
- special Request Distribution;
  - Fiscal Administration - two copies;
  - Chief of Division originating the report - one copy; and
  - originating Unit file - one copy.