

Release

1400.1 PRE-RELEASE FILE PREPARATION AND PROPERTY RETRIEVAL

Inmates lawfully approved for release from the Sheriff's custody will be processed accurately and promptly. Property and money secured in the receiving process will be returned to the inmate.

- (a) [REDACTED] will be generated daily. From this list, Inmate Records personnel will collect the inmate files and related documents from within the Inmate Records Office.
- (b) The Inmate Records Clerk will perform a Pre-Release transaction and a Case Disposition Control Sheet will be generated showing all charges.
 - 1. The clerk shall verify that all charges have been cleared and shall initial each disposition.
 - 2. Each file shall be double checked and initialed by a Records Supervisor.
 - 3. Successful completion of the Pre-Release transaction will cause notification to be sent to the Release Guard Station and Housing Guard Station of the facility in which the inmate is housed.
- (c) After review, the folder and contents will be delivered to the Release Guard Station by Inmate Records personnel.
 - 1. The Release Deputy will check the file and its contents to ensure the name and booking number are the same on each document.
- (d) The Release CSA will request the inmate's personal property bag from the Property Room CSA.
- (e) The Release CSA will take the Clothing Inventory Card, bulk items, and clothing to the Clothing Release area. The Release CSA will hand the inmate's personal clothing to the inmate after verifying the inmate's identity. The Release CSA will instruct the inmate to return all their jail issue clothing to the release area.
 - 1. If the Release CSA is not able to stay in the Release clothing area due to their gender, the respective Clothing Room CSA will replace the Release CSA.
 - 2. The Release Deputy will conduct a visual non-intrusive search for any jail clothing or jail shoes prior to releasing.

1400.2 INMATE FILE PREPARATION

- (a) The Release Deputy will verify that the name and booking number on every document are correct and correspond to the given inmate.
 - 1. Immediately upon beginning their duty shift, the Release Deputy will conduct a physical body count of all inmates in the Release hold area. They will verify that there is a file, module card, and/or booking slip for each inmate. At no time will

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

any Deputy place an inmate in the Release hold area without first informing the Release Deputy.

- (b) The Release Deputy will examine the Case Disposition Control Sheet to verify that the inmate has completed their sentence, and all pending court actions have been concluded and the qualifications for release have been met.
 - 1. Each case will be initialed by the [REDACTED]
 - 2. The Release Deputy will examine all related court papers in the booking file to verify that the inmate has fulfilled all their sentence(s) as prescribed by the court. The Records Supervisor will be immediately notified of any errors/discrepancies in the above referenced documents.
- (c) There are certain crimes that require the completion of a Notice of Registration Requirement form (SS-8040, SS-8047, SS-8049).
 - 1. The Release Deputy, as required by sections CPC 290(SS-8047), CPC 457.1 (SS-8049) and H&S 11590 (SS-8040), will fill out the form.
 - 2. The Release Deputy will obtain the inmate's rolled thumbprint during the release process on each of these forms.
 - i. Form SS-8047 is comprised of 2 pages. This form requires the inmate's signature on the first page with the inmate initialing every line of the second page.
 - ii. Form SS-8049 is comprised of one page requiring the inmate's signature.
 - iii. Form SS-8040 is comprised of one page requiring the inmate's signature.
- (d) When all charges, holds, supplemental bookings and notifications have been properly completed and verified, the Release Deputy will legibly sign, date and place their badge number on the back of the history card where indicated.
- (e) If the inmate has a scheduled future court appearance, the Release Deputy will fill out a "Court Appearance Information" form which will be given to the inmate upon release. The appearance information will be found on the source document. The court of jurisdiction, date, and time of appearance will be documented on the form.
- (f) The Module Deputy from the inmate's housing location will hand the inmate their module card and instruct them to proceed to Release.

1400.3 RELEASE OUT OF CUSTODY

- (a) Inmates who have completed their sentence obligation and are scheduled to be released, should be released no earlier than [REDACTED] on their sentence ending date to allow access to post release programs and resources. This only applies to inmates who have completed a sentence. The following other arrestees or inmates will be promptly processed for release unless the arrestee or inmate has voluntarily consented to delay release in accordance with [CCOM Section 1400.17 - Voluntary Delay of Release from Custody](#):
 - 1. A person that has been released on the person's own recognizance.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

2. A person that has been ordered released because the charges have been dismissed by the court.
 3. A person that is acquitted by a jury.
 4. A person that is cited and released on a misdemeanor charge.
 5. A person that has posted bail.
 6. A person that has complied with pretrial release conditions.
 7. A person that has had their charges dropped by the prosecutor.
- (b) Staff shall grant the request of an inmate with a release date within 30 days, or recently released from the jail, to make up to three (3) free telephone calls from a telephone within the jail to arrange for a safe and successful release (Penal Code section 4024.5)
1. For inmates who have a release date within 30 days, the inmate may request these free phone calls via inmate message slip.
 - i. The housing unit staff will afford the inmate their three (3) free phone calls using the non-collect phone.
 - ii. A notation will be made in the housing guard station log.
 2. For arrestees or inmates released from the jail, these phone calls will be afforded from a toll-free phone in the release corridor at the Intake and Release Center or Theo Lacy Facility.
- (c) Every arrestee or inmate will be provided a "Notice of Release Standards and Schedule" by the Release Deputy at the beginning of the release process.
1. The "Notice of Release Standards and Schedule" will be posted in all dayrooms.
- (d) Prior to changing into their personal clothing, the inmate will hand the Release Deputy their module card and any jail documents.
- (e) The Release Deputy will admit the inmate(s) into the Release sally port after the inmate has changed into their personal clothing. The inmate will be in possession of their bulk property and will leave jail issued clothing/property in the dress out area.
- (f) The Registration Notification form, if applicable, is then completed. In the presence of the Release Deputy, the inmate will sign the document and provide a rolled thumbprint on the Registration Notification form. Upon completion of these forms the release Deputy will make four (4) copies of the form. Distribution will be as follows:
1. One copy to inmate
 2. One copy to inmate's file
 3. The original and two copies to Inmate Records
- (g) The inmate will sign the Clothing form, documenting the return of all of the inmate's clothing. Jail staff will sign and legibly print their name and include their PID number on the Clothing form. If an inmate claims an item of their clothing is missing, a Deputy will document the circumstances on a jail incident report and provide the inmate with a

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

County Claim for Money or Damages form. Refer to [CCOM Section 1400.13 – Release of Clothing and Property](#).

- (h) The Release Deputy will inventory the inmate's property while the inmate is present. Both the inmate and Deputy will sign the property inventory form, acknowledging that the inmate has received their property. The Release Deputy will legibly print their name and include their PID number on the property inventory form. If an inmate claims their property is missing, the Release Deputy will document the circumstances on a jail incident report and provide the inmate with a County Claim for Money or Damages form. Refer to [CCOM Section 1400.13 – Release of Clothing and Property](#).
- (i) Verify Inmate's Identity: The Release Guard Station Deputy must make positive identification of the inmate prior to releasing them. Positive identity of the inmate is aided by taking a flat right hand and thumb print on the lower left front side of the Booking and Property Record and then comparing the prints to the prints taken at the time of booking on the right side of the form. Signatures and electronic right thumbprint image will be compared, and the inmate's module card photograph will be compared with their actual appearance.
 - 1. Further identifying information can be obtained by questioning the inmate from information contained in the file. Unresolved questions of the inmate's identity will be addressed with the Operations Sergeant prior to releasing the inmate.
 - 2. All inmates being released through the release sally port will have their picture taken prior to being released.
- (j) Complete identification of the inmate is then determined by:
 - 1. Matching prints on the Booking Advisement form.
 - 2. Comparing signatures on the same form.
 - 3. Comparing the inmate's module card photograph with the inmate's actual appearance. Further identifying information can be obtained by questioning the inmate from information contained in the file. Unresolved questions concerning the inmate's identity will be resolved via consultation with the Operations Sergeant prior to releasing the inmate.
- (k) If the inmate refuses to sign any document the Operations Sergeant will be summoned. The Operations Sergeant will determine the reason for the inmate's refusal and attempt to resolve the problem.
- (l) The Court Appearance Information form is given to the inmate with a verbal explanation of its contents.
- (m) The Release Deputy will place the inmate's name and booking number on the blue 4x5 Inmate Money Release Authorization form to be signed by the inmate and Release Deputy. The subject is directed to take the form to the Cashier's Office for a return of personal funds.
- (n) The Release Deputy shall provide all inmates in Pre-release status, with a Viapath Refund Postcard.
 - 1. Additional postcard supply is available in the facility warehouse.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

- (o) The subject is directed from the Release sally port into the Cashier's sally port where the subject will present their receipt to the Cashier for return of personal funds.
 - 1. The Cashier will instruct the subject to sign the Inmate Personal Funds Ledger, and will return any money to the subject. The subject will be directed through the exit door into the Cashier's lobby and out of the facility through the main lobby.
- (p) File folders will be placed in a [REDACTED]. The folders will be filed in numerical sequence.
- (q) The inmate's jail file contains documents that are attached to the folder's right side. The documents will appear in the following order from bottom to top:
 - 1. Miscellaneous Papers
 - 2. Pre-Booking Record [REDACTED]
 - 3. Personal Property Inventory Form
 - 4. O.R. Form [REDACTED]
 - 5. Clothing and Bulk Property Inventory Card
 - 6. Booking Advisement
 - 7. Case Disposition Control Sheet
 - 8. Bail or Bond Slip
 - 9. History Card
 - 10. Module Card

1400.4 CASH BAIL OR BOND RELEASE

- (a) Releases of this type require additional steps to be taken with the file contents during the release process.
- (b) If a cash bail or bond has been posted for charges arising from a warrant or remanding order, the Release Deputy will remove the warrant or remanding order from the inmate's file. The Release Deputy will compare the dollar amount recorded in the "Amount Received" space of the [REDACTED] or Fine Information Return form or the pink copy of the Bond Information Return form against the bail amount recorded on the warrant [REDACTED]. The warrant number, or case number, name and court jurisdiction will be verified. If any of the information on any of the documents associated with the inmate's release is out of variance with what is necessary to properly release the inmate, then the inmate's entire file will be returned to Inmate Records for evaluation and correction.
- (c) The Release Deputy will write the receipt numbers for the corresponding warrant or Remanding Order on the Cash Bail Return or Bond Information Slip. These documents are retained in the inmate's jail file as a permanent record.
- (d) Warrants and Remanding Orders will be given to the Cashier's Office for return to the court of issuance.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

- (e) [REDACTED]
[REDACTED] will be forwarded to Sheriff's Records. Each supplemental booking must be completed prior to the release process at the Release Guard Station.

1400.5 QUICK RELEASE, OWN RECOGNIZANCE (OR) AND WORK FURLOUGH RELEASE

- (a) Releases of these types require additional steps to be taken with the contents of the inmate's file.
- (b) The Inmate Personal Funds Ledger and the inmate's money will be processed in the same manner as other bookings.
- (c) Quick Releases: The Release Deputy will notify the Booking Prowler when the inmate file is completed. The Booking Prowler will escort the inmate to the Release Guard Station.
- (d) "OR" Releases: The Release Deputy will have the inmate sign and complete the "OR" form. The Release Deputy will staple [REDACTED]
[REDACTED]
[REDACTED]
 - 1. When the "OR" Release is for charges arising from a warrant or a Remanding Order, the warrant or Remanding Order will be attached to the white copy of the O.R. form. Warrants and Remanding Orders are always returned to the court of issue and are not left in an inmate file.
- (e) Weekender to Return, Work Furlough Releases or Pre-Booker
 - 1. Classification Deputy will classify and screen the inmate for possible transfer to another facility. The Classification Deputy will complete in duplicate the Branch Jail Transfer Form as part of the release process. The original remains in the inmate's file. The inmate retains a copy.
 - i. Module cards will be placed in the inmate's file and the file returned to the appropriate location (i.e. Records, Classification) by the Release Deputy.

1400.6 IN-CUSTODY RELEASE

- (a) These releases require the completion of the Inmate and Property Receipt form to include: inmate name, booking number, all personal property listed by item, all legal documents and reason for release.
- (b) The original form will be placed in the inmate's file. Any out-of-county warrants and hold letters in the inmate's file will be attached to the copy of the form and will be listed in the "Legal Documents" space. These documents will be sent with the transporting officer that receives the inmate from CJX custody.
- (c) When summoning an in-custody inmate from their housing module, the Release Deputy will tell the Module Deputy to which law enforcement agency the inmate will be transferred. The Module Deputy will send the inmate to the booking loop, where the Booking Prowler will obtain the required fingerprints and signatures from the inmate for release.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

- (d) The Clothing Room CSA will be notified of the inmate's in-custody status, and will hand the inmate's clothing to a Deputy in the Booking Prowler. The Deputy will place the inmate in a cell to change clothes. The CSA will take the bulk and personal property items and Clothing Card to the Court Transfer or Receiving Guard Station.
- (e) When an in-custody release takes place in the area of the Court Transfer Guard Station, the Court Transfer Deputy, a Court Prowler, or one of the Release Deputies will obtain the signature of the transporting officer(s) where required on the release documents. All property items and documents will be handed to the transporting officer(s) after obtaining the required signatures. The releasing Deputy will notify the transporting officer(s) of any special protocols which may affect their handling and transportation of the inmate, including but not limited to protective custody, transgender status or any officer safety concerns.
- (f) The Deputy handling the transfer of the inmate will be required to go to the Cashier's Office to sign for and take custody of any money belonging to the inmate(s).
- (g) Upon completion of the release process, the inmate's file will be returned to the Release Guard Station for filing.
- (h) In-Custody Releases Without a Detainer
 - 1. In order for the Sheriff's Department to have legal cause to release an inmate to another agency, a hold or detainer from that agency must have been placed against the inmate.
 - 2. This applies to releases to federal agencies where an Orange County law enforcement agency has provided a CPC 849 (b) release on local charges. It is also applicable to releases to investigators from the Orange County Sheriff's Department.
 - 3. In the absence of a hold or detainer from a federal agency or other jurisdiction, the inmate will be released from custody and allowed to enter a public area (i.e., Cashier's Window, Visiting Lobby) of the Intake/Release Center (IRC). The federal agency or Sheriff's Department officers may re-arrest the inmate once they enter a public area.
- (i) In-Custody release with Notification Form
 - 1. The Registration Notification form, if applicable, is then completed. In the presence of the processing Deputy, the inmate will sign the document and provide a rolled thumbprint on the Registration Notification form. The processing Deputy will sign and date the notification form. Upon completion of these forms the Deputy will make four (4) copies of the form. Distribution will be as follows:



Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

1400.7 HOSPITAL AND COMPASSIONATE RELEASES

- (a) Hospital and compassionate releases require that a Deputy go to the inmate's place of confinement to conduct the release. A "Compassionate Release" may be considered for inmates with terminal medical conditions that would produce death within six months and pose no credible threat to public safety. A Compassionate Release may be considered for inmates who pose no credible threat to public safety and for whom the County is unable to provide adequate care/treatment within a custodial setting; and such care/treatment at an off-site facility would create an unreasonable burden on County resources and/or personnel.
- (b) Arrestee Pending Booking into the Orange County Jail
 - 1. In the event of an arrestee, pending booking into the Orange County Jail who is currently being treated at a hospital in grave condition (terminal medical conditions that would produce death within six months, or death appears to be imminent), and the arrestee has been remanded to the custody of the Sheriff, the IRC Watch Commander should consider a Compassionate Release and follow the below steps:
 - i. Confirm that the arrestee's booking paperwork, remand order, and personal property have been delivered to the IRC Receiving Guard Station by the arresting agency. Refer to [CCOM Section 3000.3.18 - Hospital Bookings](#).
 - ii. Confirm the arrestee has been issued a booking number and a Deputy has taken custody of the inmate at the hospital.
 - iii. Confer with the Operations Sergeant/Deputy at the hospital to obtain the extent of the condition of the inmate and follow the procedures listed below in section (i).
- (c) Existing Orange County Jail Inmate
 - 1. If a Deputy is notified, or becomes aware, of a significant change or deterioration in an inmate's medical condition, they shall immediately notify their Sergeant or Watch Commander. The procedures outlined below will be followed.
- (d) Verify charges and confirm the inmate poses no credible threat to public safety.
- (e) If it is determined the inmate is in grave condition, as defined above, the IRC Watch Commander [REDACTED]
[REDACTED]
[REDACTED] information known at the time regarding the inmate's prognosis and the request for a Compassionate Release.
- (f) The Triage Senior Registered Nurse and Case Management staff will contact the treating hospital to confirm and obtain the extent of the inmate's current condition. This information will be provided to the CHS Medical Director for review.
- (g) If a Compassionate Release is recommended by the CHS Medical Director upon completion of a medical review, steps outlined in the below section will be followed.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

1. The CHS Medical Director or designee will recommend a Compassionate Release by providing a letter addressed to Assistant Sheriff detailing the medical condition and prognosis that makes the inmate eligible. The letter will also contain a request detailing the medical diagnosis.
 2. If the Assistant Sheriff approves the Compassionate Release, the Special Services Bureau Captain will assign a Classification Sergeant to create a synopsis package containing the following:
 - i. CHS Medical Director's Letter
 - ii. Approval of the Assistant Sheriff.
 - iii. Copy of the inmate's jail file including the booking details.
 3. The Classification Sergeant will designate a Classification Deputy to deliver the synopsis package to "Case Processing" at the Central Court attorney window and ensure the synopsis package is submitted to "C5" as same-day priority chambers. The synopsis package will then be reviewed by the court/judge for approval/denial. The following notifications will be made of the approval or denial:
 - i. Court/Judge will consider the request brought by the Orange County Sheriff's Department on behalf of the Orange County Health Care Agency and decide whether a Compassionate Release is warranted. The court will make a decision and issue an order. If the request is granted, the court's order is sent to the Orange County Sheriff, and the inmate is released in accordance with the terms of the order.
 - ii. Court/judge notifies Sheriff's Inmate Records Division.
 - iii. Inmate Records Division notifies the Watch Commander
 - iv. Watch Commander notifies Special Services Bureau Captain, Division Commander, and the Assistant Sheriff.
 - v. The Records Supervisor will include the CHS Medical Director's Letter, the Assistant Sheriff's approval, and court's order in the synopsis package and forward it to the Commitment Clerk.
 - vi. The Commitment Clerk will process the paperwork for release.
 4. The Watch Commander will notify Special Services Bureau Captain, Division Commander, Assistant Sheriff, and the Department Commander when the release is complete.
- (h) The Release Deputy will prepare the inmate's release file in the same manner as for an out-of-custody release.
- (i) A Deputy will take the inmate's file (and contents), personal property items, any bulk items, all clothing and money (including Inmate Personal Funds Ledger) to the inmate's location.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

1. An inkpad will be needed to take the required fingerprints. If the required fingerprint cards have not been taken, the Deputy conducting the release must first take the inmate's fingerprints required for proper booking.
2. The Release Deputy will check JMS for the inmate's booking photograph. If the inmate was not properly photographed, the Deputy will take a digital camera to the inmate's location and photograph them (e.g., the inmate was booked and released directly from the hospital without ever having been brought to the CJX for processing).
 - i. A digital camera will be located and [REDACTED]
3. After the inmate's signature (whenever possible), fingerprints, and photograph are obtained, the complete file will be returned to the Release Guard Station. The money card will be transferred to the Cashier.

1400.8 MILITARY PERSONNEL

- (a) Inmates on a supplemental booking via a formal military hold will be processed as an in custody release to military personnel. If the inmate is ready for release and is on an informal military hold, then the Inmate Records Supervisor will notify the military personnel listed on the hold. The Records Supervisor will note the date, time and person notified on a Trouble Log. The Trouble Log and informal hold will be stapled to the left side of the inmate file. The inmate will be processed for release, but held in the pre-release area for the period of time documented on the informal hold (usually 8 hours). If military personnel have not responded after the eight (8) hours have elapsed, the Release Deputy will "final release" the inmate. The eight (8) hour timeframe begins when the Inmate Records Supervisor converses with the appropriate military personnel.

1400.9 CUSTODY DEATH

- (a) When an inmate dies in custody, Inmate Records will forward the inmate's jail file to the Release Guard Station. The Release Deputy will notify the Cashier, Clothing Room, and Correctional Health Services (CHS) to bring the inmate's custody documentation, property, money, and medical items to the Release Guard Station.
- (b) The Release Deputy will request to have a Module or Prowler Deputy gather the inmate's personal items from the housing unit and deliver them to Release. If the inmate has been assigned to a branch facility or the hospital, the appropriate Deputy will be called by the Release Deputy and requested to retrieve the inmate's property and deliver it to Release.
- (c) The Release Deputy will deliver all items belonging to the deceased inmate to the Watch Commander's Office as soon as possible.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

1400.10 FINAL RELEASE TRANSACTION (COMPUTER)

- (a) The Release Guard Station and Court Transfer Guard Station will use the following procedures when releasing inmates from the CJX:

1. All inmates being released [REDACTED] will have the release transaction completed as soon as the inmate is released.
2. All inmates being released [REDACTED] will have the release transaction completed as soon as the inmate is released. The [REDACTED] [REDACTED] inmate's entire jail file is then returned to the Records Supervisor for filing.
3. If the inmate is being released through the Court Transfer Guard Station, the appropriate transaction will be prepared by [REDACTED]

[REDACTED]

[REDACTED]

1400.11 RECORDS STORAGE

- (a) Released Inmate Files will be maintained in the [REDACTED]
[REDACTED] Released Theo Lacy inmate files will be returned to the CJX to be maintained in the file room near the [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

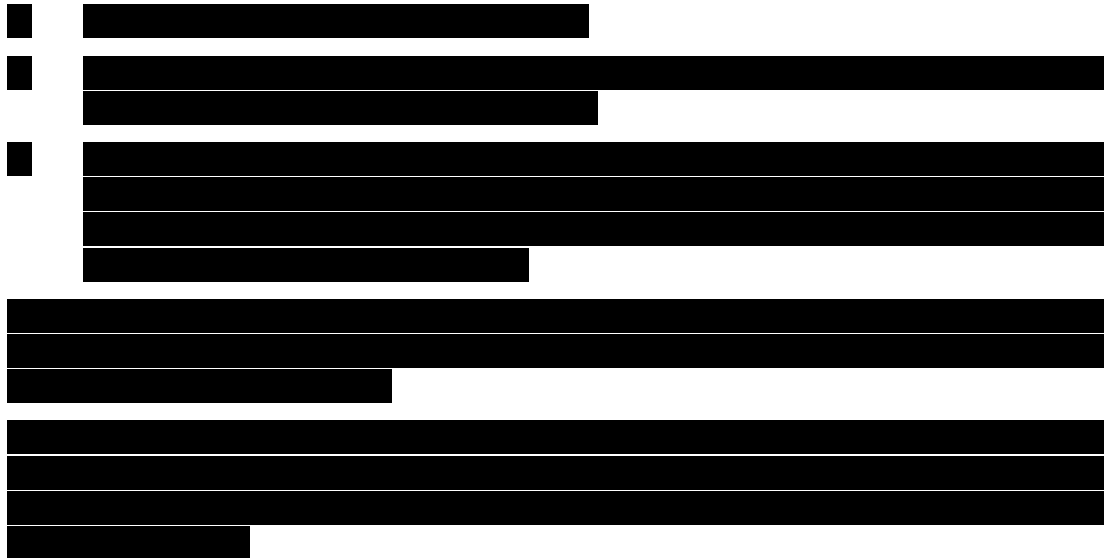
[REDACTED]

[REDACTED]

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release



1400.12 RELEASE OF CLOTHING AND PROPERTY

- (a) All personal clothing exchanges and property releases will take place in the Release Guard Station.
- (b) When the Visiting Guard Station staff has determined the inmate is in custody, the Deputy/SSO will prepare a Property Release Authorization form (J-025). The Property CSA will be notified to prepare the inmate's property for the impending release/exchange.
- (c) When the form is signed by the inmate, it will be returned to the Visiting Guard Station. The Property CSA will also be notified that the exchange is ready to take place.
- (d) The Visiting or Receiving Guard Station Deputy will give the signed Authorization form to the person bringing in the clothing for exchange or requesting the release.
- (e) The CSA will ensure that the Women's-side Release sally port is unoccupied when the release/exchange takes place.
- (f) When the release/exchange has been completed, the requestor will be directed to exit through the Cashier's Lobby. The Property CSA will return the appropriate items to storage.
- (g) Whenever a law enforcement agency or District Attorney requests to search and/or seize the property or clothing belonging to an inmate, at least one of the following is required:
 - 1. A written consent waiver (form #J-025)
 - 2. Warrant
 - 3. Court order
- (h) Inmates refusing to release property (IRC Personnel Only):

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

1. If an inmate who is housed, refuses to release their property, do not have the inmate sign a Property Release Form. Instead, use the "Inmate Refused to Release Property" stamp to indicate the inmate's refusal. The Deputy, SSO, or CSA will then sign the bottom portion and return the form to Visiting.
 2. If an inmate who is on the booking loop refuses to release their property, the handling Deputy will indicate this on the Property Release Form. The Deputy will sign the bottom portion of the form, advise Visiting of the refusal and return the form to Visiting. The Visiting Guard SSO or CSA will then stamp the Property Release Form.
- (i) Release of Property initiated by CHS
1. If CHS staff requests an inmate to have possession of any personal item(s) that was placed on an inmate's property at the time of booking, the following steps shall be followed for all non-ADA items, including but not limited to mouth guards, specialized medications, medical pumps:
 - i. CHS staff will notify a Deputy/SSO/CSA assigned to the inmate's housing location of the need to have the item(s) removed from the inmate's booked property. CHS staff will document the need for the item(s) on a [REDACTED] and include documentation the item is the inmate's personal property. CHS will provide the inmate's housing location with three copies of the completed form.
 - ii. The Housing Deputy/CSA will fill out a [REDACTED] documenting the specific item(s) needing to be removed from the inmate's property. The Deputy will have the inmate sign the form to authorize OCSD to remove the item(s) from the inmate's property. The witnessing Deputy will also sign under the [REDACTED]
 - iii. The Housing Deputy/CSA will notify the Property CSA so the property can be pulled for access.
 - iv. The Housing Deputy will take the completed Property Release Authorization Form to the Property Room, where the Property CSA will review the documents and pull the item(s) from the inmate's property.
 - v. The Housing Deputy will perform a security assessment of the item(s). CHS may choose to accompany the Deputy to ensure all parts/items needed are removed. If the item is [REDACTED]
[REDACTED]
[REDACTED]
 - vi. The Housing Deputy will deliver the item to the inmate and have the inmate sign the [REDACTED]
[REDACTED]
 - vii. Disposition of completed forms once the transaction is complete:
 - A. The inmate receives the [REDACTED]
[REDACTED]
[REDACTED]

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

- [REDACTED]
[REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED] the inmate to have the item will be retained by the Guard Station where the inmate is housed.
- viii. If the Deputy performing the security assessment determines the item is a security risk, the Deputy shall follow the below procedures:
- A. The Deputy will notify their immediate supervisor and document the reason for denial on the [REDACTED]
[REDACTED]
[REDACTED]
- ix. For procedures on all ADA related items refer to [CCOM Section 8000.2 – ADA Procedures](#).

1400.13 CLAIM FOR LOST MONEY OR PROPERTY

- (a) Claims involving missing money or property are received at the Release Guard Station. The Operations Sergeant will be notified of each claim prior to the departure of the claimant.
- (b) The Release Deputy will draw a Jail Incident and DR number. The Deputy will complete a "Lost Property or Money Report" for each claim. The report will be submitted to the Operations Sergeant for review and approval
 - 1. One copy of the report will be made and forwarded to the Division Commander's office for the jail claims staff representative. A second copy will be made and forwarded to the inmate's jail file.
- (c) The Release Deputy will print the claimant's name (as booked) and booking number on a ["Claim for Money and Damages Against the County of Orange"](#) (form VCF-1/5).
 - 1. This form will be handed to the claimant by the Deputy. The claimant will be instructed to complete the form per the printed instructions if the claim is to be pursued.

1400.14 FOUND PROPERTY

- (a) Any employee who finds personal property or money of an inmate shall notify their supervisor and will attempt to locate the rightful owner.
- (b) If a Deputy finds property:
 - 1. The owner is known and not currently in custody:
 - i. A Jail Incident and DR number will be pulled. The report will be titled "Found Property" and will describe the circumstances associated with

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

the found property, including but not limited to, an itemized list with description(s) of found property. Additionally, a Safekeeping Form will be filled out.

- ii. The Deputy will book the property and place it in a Sheriff's Evidence Locker prior to the end of their shift. Procedures outlined in [OCSD Policy Manual \(Lexipol\) Section 802.2 – Property and Evidence: Property Handling](#) shall be followed.
2. The owner is known and still in custody:
 - i. The item(s) will be returned to the inmate if they are allowable items per [CCOM Section 1600 – Orange County Jail Rules](#).
 - ii. If the item(s) are not allowed inside custody per Department policies and not illegal to possess, place the property in a bag labeled with the inmate's name and booking number. List the found item(s) on an Inmate Property Receipt.
 - iii. The original receipt will be sent to Inmate Records.
 - iv. One copy of the receipt will be placed with the inmate's property. The bag will be delivered to the Property Room CSA to be added to the inmate's booked property.
 - v. The second copy of the receipt will be sent to the inmate.
 - (c) If a CSA or any civilian staff member finds property, they will notify a Deputy assigned to the area where the property was found. If the property was found in an area where no Deputy is assigned, they will notify the Release Deputy. The notified Deputy will handle the property outlined above in CCOM Section 1400.14(a) and (b).

1400.15 INADVERTENT RELEASE/OVER DETENTION

(a) Inadvertent Release Notifications

1. If a staff member determines an inmate has been inadvertently released, they will immediately notify their supervisor. Notifications will be made as follows.
 - i. The supervisor will notify the Operations Sergeant and Watch Commander.
 - ii. The Watch Commander will notify the Division Commander of the facility of occurrence, the Division Commander of the IRC and the Department Commander
 - iii. The Department Commander will notify Investigations.
 - iv. If an OCSD Personnel Investigation reveals another agency's actions contributed to an inadvertent release, the Division Commander will send a notification letter to that agency.

(b) Inadvertent Release Documentation

1.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

- [REDACTED]
- [REDACTED]
2. Watch Commander: After making the telephone notifications, the Watch Commander will send an initial email to the Department Commander documenting the inadvertent release. The email will include the following:
 - i. Inmate's name and booking information
 - ii. Time of the inadvertent release
 - iii. A brief explanation
 3. The Watch Commander will compile an investigative package to include:
 - i. Copy of inmate's jail file (Records)
 - ii. Follow up DR titled "Inadvertent Release" (Operations Sergeant)
 - iii. Names of who visited the inmate (Visiting Guard)
 - iv. Any pending mail (Mailroom)
 - v. Classification will provide the Watch Commander with the following:
 - A. Local Arrest Record
 - B. Booking photo in color
 - C. CII printout
 - D. DMV L1 printout
 - E. DMV photo

(c) Over Detention

1. Once a records supervisor determines an inmate has been overly detained, the records supervisor will notify the Facility Watch Commander. The overly detained inmate will be released in an expedient manner. The Facility Watch Commander will make the following notifications:
 - i. Notify the Division Commander
 - ii. Write a memorandum to Risk Management
2. If an OCSD Personnel Investigation reveals another agency's actions contributed to an over detention, the Division Commander will send a notification letter to that agency.

1400.16 USMS PROPERTY POLICY

The United States Marshals Service (USMS) will not allow USMS inmates to take property accumulated while in OCSD custody to a federal institution. Every USMS inmate will be given the opportunity to either dispose of or have their property stored for safekeeping for 90 days. The inmate will be expected to arrange for the property to be picked up during that time otherwise it will be disposed of. All perishable items will be disposed of.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

- (a) Prior to arrival at the Orange County Jail, the USMS inmate will be instructed of the provisions listed on the US Marshal Property Release Request Form and will be requested to complete and sign the form. The form will be forwarded to Inmate Records to be included in the records jacket.
- (b) When the USMS inmate is to be released to the USMS or transferred to a federal institution, a Deputy will check the records jacket of each inmate to determine if they have requested to have their property be stored.
- (c) When a USMS inmate requests their property to be stored, the Deputy will take the signed US Marshal Property Release Request Form from the records jacket and make two copies. One copy will be attached to the outside of the property bag/envelope. The original will be retained in the records jacket.
 - 1. USMS inmates will be permitted to store legal materials, in the form of a flash drive (data storage device) or compact disk, in their personal property.
- (d) The Deputy shall request a separate DR number and write a separate Property Report for each inmate's property. Each inmate's property will be booked in evidence for safekeeping. The second copy of the US Marshal Property Release Request Form will be submitted with the Property Report.

1400.17 VOLUNTARY DELAY OF RELEASE FROM CUSTODY

Pursuant to California Penal Code 4024(b)(1), the Orange County Sheriff's Department offers a voluntary program which allows incarcerated individuals to remain in custody for up to 16 hours past their scheduled release time or until normal business hours the next calendar day, whichever is shorter. For purposes of this policy, "normal business hours" will begin at 0700.

- (a) Housing Process:
 - 1. A notification of inmate release will originate and print in the housing location of the inmate.
 - 2. If the release time falls after 1700 hours or before normal business hours, the module staff will ask the inmate if he or she wants to participate in the program.
 - 3. If the inmate agrees to participate in the program, the Housing Deputy will explain the program including the revocation of consent and have the inmate complete and sign the form.
 - i. The Housing Deputy will notify the shift supervisor and the Release Deputy.
 - 4. The inmate will be allowed to make up to three (3) free telephone calls from a telephone within the jail to arrange for a safe and successful release as required by [CCOM Section 1400.3\(b\) – Release Out of Custody](#).
 - 5. The Housing Deputy will contact classification staff and request the inmate to be rehoused in their current housing location.
 - 6. Once it is normal business hours, the Deputy will escort the inmate to release and deliver the form to the Release Deputy.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

7. At any time, if the inmate revokes the consent, the inmate shall be processed for release immediately and escorted to the release guard station with the form.
 - i. The Housing Deputy will notify the shift supervisor and the Release Deputy.
 8. The Voluntary Delayed Release form shall be placed in the inmate's file.
- (b) Booking Loop Process:
1. The Deputy will complete the cite and release, own recognizance, or any other relevant paperwork.
 2. If the release time falls after 1700 hours or before normal business hours, the Deputy will ask the inmate if he or she wants to participate in the program.
 3. If the inmate agrees to participate in the program, the Deputy will explain the program including the revocation of consent and have the inmate complete and sign the form.
 - i. The Deputy will notify the shift supervisor and the Release Deputy.
 4. The inmate will be allowed to make up to three (3) free telephone calls from a telephone within the jail to arrange for a safe and successful release as required by CCOM Section 1400.3(b) - Release Out of Custody.
 5. The Deputy will contact Classification staff and inform them of the inmate's participation.
 6. Once it is normal business hours, the Deputy will escort the inmate to release and deliver the form to the Release Deputy.
 7. At any time, if the inmate revokes the consent, the inmate shall be processed for release immediately and escorted to the release guard station with the form.
 - i. The Deputy will notify the shift supervisor and the Release Deputy.
 8. The Voluntary Delayed Release form shall be placed in the inmate's file.

1400.18 COUNTY PAROLE APPLICATION PROCESS


The Orange County Sheriff's Department provides a structured framework for sentenced inmates seeking parole, with clear eligibility requirements and method of application. For more information, refer to California Penal Code Sections 3074-3089 and the Orange County Board of Parole Commissioners Manual.

- (a) Program Notification
1. During intake and orientation, jail staff shall inform inmates of the possibility of County Parole.
 - i. The intent to inform inmates will be met by the rules and regulations governing eligibility for County Parole posted in the booking loop and dayrooms.

Orange County Sheriff-Coroner Department

Custody and Court Procedures Manual

Release

- (b) Eligibility Requirements - Any inmate may request an application for parole. Sentenced inmates are only eligible for County parole if their present sentence meets all the following requirements:
1. An inmate has been sentenced to serve more than sixty (60) days in the Orange County Jail and has a minimum of thirty (30) days remaining to be served at the time of the parole hearing.
 2. At least one-half of the inmate's sentence will have been served by the parole hearing date. In the event of consecutive sentences, at least one-half of the total time must have been served.
 3. There must be a minimum of thirty (30) days between the date of the Parole Hearing and the Sentence Expiration date.
 4. The inmate must reside in Orange County and have a stable residence.
 5. Inmates serving legally mandated sentences must serve the minimum required time.
 6. Inmates are not eligible for parole if their commitment is the result of a violation of formal probation or a violation of County Parole.
 7. Inmates are not eligible for early release if there are any active holds or warrants on any criminal cases.
- (c) Method of Application - Any inmate may:
1. Obtain an application upon request for parole from Sheriff personnel at any jail facility.
 2. Return the completed form to Sheriff staff.
 3. Upon receiving the application, Sheriff's staff will deliver the completed applications to the designated facility collection site(s).
 4. Once during each shift, a Sergeant will be responsible for collecting the completed applications and forwarding them to the Inmate Records Supervisor.
 5. 
 6. The Probation Department screens all applications for eligibility for County parole.
 7. The Parole Officer/screener ensures that all applications submitted must be time-stamped upon receipt.