

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject INACTIVE RELEASES TO OUT-OF-COUNTY LAW ENFORCEMENT AGENCIES	Policy Number DN-6 <hr/> Effective Date 05-09-24
Related Information DH-3, <i>Contraband Control</i> DK-1, <i>Inmate Mail</i>	Supersedes DN-6 (03-24-20)	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for processing court orders (writs) temporarily releasing inmates to the custody of out-of-county law enforcement agencies.

POLICY

It is the policy of the Office to temporarily release inmates to the custody of out-of-county law enforcement agencies pursuant to a writ, provided all procedures are followed and the writ is in proper form.

DEFINITIONS

Commitment File: The file containing the inmate’s judicial records pertaining only to charges, holds, or sentencing information.

Inactive Release: The transfer of an inmate into the custody of an out-of-county agency, awaiting return to Maricopa County Sheriff’s Office (MCSO) custody.

Writ: A court’s written order, in the name of a state or other competent legal authority, commanding the addressee to do or refrain from some specified act.

PROCEDURES

1. **Telephone Notifications:** All telephone notifications regarding the inactive release of an inmate to the custody of an out-of-county law enforcement agency shall be referred to the Sheriff’s Information Management Services (SIMS) Division for processing.
2. **Sheriffs Information Management Services (SIMS) Division Responsibilities:** Once an out-of-county law enforcement agency has requested the temporary transfer of a Maricopa County Sheriff’s Office (MCSO) inmate to their custody, SIMS Division personnel shall be responsible for the following:
 - A. Obtaining a signed and sealed writ of custody and transport for the inmate requested. Under no circumstances shall an inmate be released without obtaining the required writ;
 - B. Notifying the housing jail facility by a transmitted computer message when an inmate is to be picked up by an out-of-county law enforcement agency, and the estimated date and time of return;
 - C. Placing a copy of the writ and the release message on the Inactive Log; and

- D. Upon the inmate's return to MCSO custody, placing the writ and the release message in the inmate's Commitment File.
 - E. If the inmate has not returned to MCSO custody by the date on the Writ the SIMS Division will be responsible for contacting the agency that has custody of the inmate and updating SHIELD.
3. **Housing Jail Facility Responsibilities:** Prior to releasing the inmate to an out-of-county law enforcement agency for an inactive release, detention personnel shall be responsible for the following:
- A. The inmate shall be dressed in jail facility clothing unless otherwise noted on the computer message from Sims;
 - B. The inmate's cell property shall be properly labeled and securely stored, and an appropriate entry made in the Shift Log detailing the location of the stored property;
 - C. The inmate's door card shall be placed in the "Inactive" file;
 - D. A Shift Log entry shall be made to reflect the new house count;
 - E. The transporting officer shall be positively identified by requesting law enforcement agency issued identification;
 - F. The inmate shall be positively identified by name and booking number prior to being transported out of the jail facility. Detention personnel shall:
 - 1. Compare the picture or thumb print on the booking card to that of the inmate;
 - 2. Obtain a physical description and personal information from the Sheriff's Inmate Electronic Data (SHIELD) and compare it to a description of, and information obtained from, the inmate; or
 - 3. Request a copy of the inmate's photograph or fingerprints from the Records and AFIS Division and compare them to those of the inmate.
 - G. Document the transfer of custody information in the jail facility Inmate Checkout Logbook, the Shift Log, and updating the jail facility's new house count;
 - H. Make the appropriate SHIELD entry to reflect the inmate's status as "Inactive" to the receiving law enforcement agency. The current date and the estimated date of return, if known, shall also be entered;
 - I. Notify the on-duty shift supervisor and CHS personnel that the inmate housing status has changed from active to inactive status. Upon notification, CHS personnel are responsible for checking if a Health Transfer Summary transcript is required for the inmate;
 - J. Provide the transporting officer with a computer printout of the inmate's booking report indicating comments or warnings such as escape risk or violent behavior, and the inmate's Health Transfer Summary transcript from CHS, if needed;
 - K. Place a computer printout of the inmate's booking report in the Facility File; and

- L. Obtain the supervisor's approval prior to releasing the inmate to the out-of-county law enforcement agency. The supervisor shall ensure the appropriate SHIELD entry has been updated and shall indicate their approval of the inactive release by writing their name and serial number on the computer printout of the inmate's booking which is placed in the Facility File.
4. **Return to Housing Jail Facility:** When the inmate is returned from inactive status to their housing jail facility, detention personnel shall be responsible for the following:
- A. Obtain all pertinent court documents from the out-of-county law enforcement agency;
 - B. Fax the inmate's court paperwork or hold information to the SIMS Division for appropriate SHIELD updates;
 - C. Conduct an inmate search, as specified in Office Policy DH-3, *Searches and Contraband Control*;
 - D. Return the inmate's stored cell property and document the return of the property in the Shift Log;
 - E. The housing jail facility shall make the appropriate SHIELD entry, in the Shift Log ensuring the house count reflects the inmate's physical return; and
 - F. Notify the on-duty shift supervisor and CHS personnel when an inmate's housing status has changed due to their return to active status.
 - 1. If the inmate returns from an out-of-county law enforcement agency, the inmate shall be immediately seen by CHS personnel for a health evaluation prior to going to their reassigned housing unit; or
 - 2. If the inmate returns from the Arizona State Hospital or another mental health facility, the inmate shall be returned to mental health housing pending a CHS evaluation for further appropriate housing.
5. **Inmate Mail:** An inactive inmate's mail shall be processed as outlined in Office Policy DK-1, *Inmate Mail*.
6. **Commitment File:** Within 24 hours, the housing jail facility shall forward the original of any newly received court paperwork through interdepartmental mail to the SIMS Division for placement into the inmate's Commitment File.