

	<b>MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES</b>	
	<b>Subject</b> <b>INMATE LEAVES INTO THE COMMUNITY</b>	<b>Policy Number</b> <b>DN-1</b> <b>Effective Date</b> <b>04-09-24</b>
<b>Related Information</b> DH-3, <i>Searches and Contraband Control</i> DN-2, <i>Work Furlough</i> DN-3, <i>Work Release</i> DO-7, <i>Processing Confinement Orders and Accepting Self-Surrenders</i> GJ-9, <i>Restraint and Transportation of Prisoners and Inmates</i> GJ-13, <i>Escapes and Related Incidents</i>		<b>Supersedes</b> DN-1 (03-09-12)

## PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for approving and processing inmate leaves into the community.

## POLICY

It is the policy of the Office to provide inmates with temporary leaves into the community when ordered by the court and/or approved by the Office.

## DEFINITIONS

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

**Hardbound Logbook:** A hardbound logbook using consecutively numbered pages to record information concerning the daily operations, incidents, or activities in a specific duty area or location, usually in a custody facility. A hardbound logbook is normally used in those components that do not have access to SHIELD or as a backup log when SHIELD is down.

**Inmate:** A person who has been accepted for confinement into an Office jail facility.

**Inmate Leave:** The authorized, short-term absence of an inmate from jail custody. For the purpose of this Office Policy, work furlough and work release are not considered inmate leaves, as specified in Office Policies DN-2, *Work Furlough*, and DN-3, *Work Release*.

**Inmate Tablet:** A handheld computerized electronic device used by inmates to stream music, movies, games, submit inmate forms electronically, and communication with members of the public and legal representatives. The inmate tablet is provided and maintained by a contracted vendor. Inmate tablets are battery operated and must be returned to the charging station on a regular basis in order to be charged.

**Sheriff's Inmate Electronic Data (SHIELD):** An Office jail management system containing information about individuals who are, or have been, incarcerated or booked into an MCSO jail facility. Information is entered in this database when an individual is booked and updated throughout the term of incarceration. This includes but is not limited to: inmate's charges; holds; court dispositions; bond and fine amounts; inmate listed booked in personal property; locker assignments; housing locations; restrictions; emergency medical information; scheduled inmate appointments; and the day-to-day operations of jail facility housing unit shift logs.

**PROCEDURES**

1. **Inmate Leaves into the Community:** The Office recognizes temporary leaves into the community when directed by the Court and/or when approved by Office command. Approved inmate leaves into the community may be either unescorted or escorted.
  - A. All unescorted leaves by inmates into the community requires a court order. Court orders shall be provided to the jail facility commander for review as soon as reasonable. A jail facility commander may contest a court order authorizing an inmate's unescorted leave into the community through documented communication with the Maricopa County Attorney's Office (MCAO).
  - B. Escorted leaves do not require a court order but must be approved by the affected jail facility commander and/or by the command of the transporting personnel if the escort is performed by the Office.
  
2. **Situations Requested for Inmate Leaves into the Community:** There are various situations which an inmate may be granted leave into the community. The inmate may be required to dress in their personal clothing depending on the type of inmate leave into the community.
  - A. Situations in which inmates may be granted leave into the community include, but are not limited to, the following:
    1. Drug program interviews;
    2. Viewings at a mortuary, an inmate must have a private viewing;
    3. Hospital visits with a relative;
    4. Medical, dental, or psychiatric appointments with a private health care provider;
    5. Reading of wills;
    6. Polygraph examinations; or
    7. Official law enforcement business.
  - B. An inmate may be denied escorted leave for several reasons including, but not limited to, the inmate's behavior, disciplinary history, or the safety, order, or security of the facility. When this occurs and is applicable, the jail facility commander may authorize the inmate the use of an inmate tablet as an alternative, allowing the inmate the opportunity for a video conference instead.
  
3. **Requirements for Escorted Leaves:** All requests for inmates' escorted leaves into the community performed by the Office shall be documented and forwarded through the chain of command to the affected jail facility commander, who will also coordinate with the command from the Inmate Medical Services and/or Transportation Division for final authorization. Sworn command shall be notified if a deputy is needed for the escort. If approved, the jail facility commander shall coordinate the escorted leave process with the affected Office transporting personnel. If denied, the requester shall be advised by the jail facility commander. Escorted leaves into the community performed by other agency (OA) law enforcement personnel shall be completed as specified in this Office Policy.

- A. Office Escorted Leaves: Approved escorted leaves into the community performed by the Office require either one or more sworn officers or one or more firearm certified detention officers to accompany the inmate.
  - 1. The inmate may be required to dress in their personal clothing depending on the situation requested for the escorted leave into the community. If dressed in their personal clothing, the departure shall occur from the Intake Transfer and Release (ITR) facility.
  - 2. Prior to being given custody of the inmate, all Office escorting personnel shall be identified and confirmed to have proper authorization. This confirmation will be completed by an on-duty shift supervisor of the affected jail facility and reported to the transporting personnel's command.
  - 3. To document an inmate departure on escorted leave, the Court Desk Officer shall make an entry in SHIELD with the departure information and shall include the following information:
    - a. The inmate's name and booking number;
    - b. The reason for the leave;
    - c. The name of the jail facility commander authorizing the inmate leave;
    - d. The name of the escorting personnel and a contact telephone number;
    - e. The date and time of departure; and
    - f. The anticipated date and time of return.
  - 4. The appropriate SHIELD format shall be updated to reflect the inmate's current location as indicated by the escorting personnel.
- B. Other Agency (OA) Escorted Leaves: All other law enforcement agencies requesting to escort an inmate on a leave into the community shall provide a request to the Sheriff's Information Management Services (SIMS) Division for review and authorization.
  - 1. The request shall include the following information:
    - a. The inmate's name and booking number;
    - b. The name of the agency requesting the inmate;
    - c. The name, serial number, and contact information of the agency officer requesting the inmate;
    - d. The date and time the inmate will be picked up and an anticipated date and time of return; and
    - e. The reason for the inmate leave.
  - 2. Upon approval by Office command of the OA request for the inmate escorted leave, a SIMS Release Specialist will provide notification to the affected detention personnel.

3. The inmate may be required to dress in their personal clothing depending on the situation requested for the escorted leave into the community. If dressed in their personal clothing, the departure shall occur from the Intake Transfer and Release (ITR) facility.
  4. Prior to being given custody of the inmate, the OA law enforcement personnel escorting the inmate for leave into the community shall be identified and confirmed to have proper authorization. This confirmation will be completed by an on-duty shift supervisor of the affected jail facility and reported to the jail facility commander.
  5. At the time of departure, the Court Desk Officer shall make an entry in SHIELD with all the above initial request information.
  6. At the time of departure, all OA law enforcement personnel requesting to escort an inmate on a leave into the community shall make an entry in the Hardbound Inmate Inactive Logbook with all the above initial request information.
  7. The appropriate SHIELD format shall be updated to reflect the inmate's current location as indicated by the escorting personnel.
  8. A SIMS Release Specialist shall ensure appropriate paperwork is placed into the inmate's Commitment File for safekeeping.
4. **Requirements for Unescorted Leaves:** Unescorted leaves into the community are ordered by a court and allow the inmate a temporary release from custody, requiring their return at a specified time. Detention personnel shall update the appropriate SHIELD format, entering the inmate's status as "inactive," and the required date and time of return, as specified on the court order. The inmate shall be transported to the ITR facility for departure. An ITR shift supervisor shall be responsible for the following:
- A. The inmate **shall** be dressed in their personal clothing prior to an unescorted leave.
  - B. The inmate shall be advised of the reason for the leave, and the specified date and time they are to return to custody to the ITR facility, as specified in the court order. Inmate's shall also be advised of the possible consequences of their failure to return to the jail facility at the specified time.
  - C. The original court order shall be placed in the inmate's Commitment File at the SIMS Division and a copy of the court order shall be given to the inmate.
  - D. The inmate's fund account shall be deactivated and placed in an inactive status.
5. **Inmate's Return from Leave:** Upon the inmate's return from escorted or unescorted leave into the community, the following steps shall be completed:
- A. Escorted Leave:
    1. If the inmate was dressed in their personal clothing:
      - a. The inmate and their personal clothing shall be searched, as specified in Office Policy DH-3, *Searches and Contraband Control*. Inmates shall receive a new set of jail issued clothing;
      - b. All personal clothing shall be inventoried; and

- c. New property and clothing cards shall be completed.
  2. If the inmate was dressed in jail issued clothing, the inmate and their clothing shall be searched. A new set of jail issued clothing shall be issued to the inmate.
  3. The appropriate SHIELD format shall be updated to reflect the date and time of the inmate's return as well as the inmate's housing assignment.
- B. Unescorted Leave:
  1. All money, property, and clothing shall be inventoried at the ITR facility.
    - a. The inmate and their personal clothing shall be searched. A new set of jail issued clothing shall be issued to the inmate;
    - b. The inmate's fund account shall be reactivated from inactive status, and their money posted to their account; and
    - c. A new property and clothing inventory card shall be completed at the ITR facility.
  2. The appropriate SHIELD format shall be updated to reflect the date and time of the inmate's return as well as the inmate's housing assignment.
6. **Failure to Return from Unescorted Leave:** If an unescorted inmate does not return within six hours of the time specified by the court order, the incident shall be considered an unauthorized absence and updated in the appropriate SHIELD format. An *Incident Report* (IR) shall be initiated, and proper notifications made, as specified in Office Policy GJ-13, *Escapes and Related Incidents*.