

KERN COUNTY SHERIFF'S OFFICE

Detentions Bureau Policies and Procedures

TITLE: VOLUNTARY DELAY OF RELEASE FROM CUSTODY **C-875**

EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
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REFERENCE: PC 4024(b)(1), DBPPM C-850

POLICY

The Kern County Sheriff's Office offers a voluntary program to incarcerated people eligible for release pursuant to DBPPM C-850 which will allow the incarcerated person to remain in custody for up to 16 additional hours or until normal business hours (0900) the next calendar day, whichever is shorter.

This purpose of this program is to offer the incarcerated person the ability to be released during daytime hours, or to a treatment center or community-based home during that organization's normal business hours.

Directive #1

Incarcerated people electing to participate in the delayed release program may revoke their consent at any time and be discharged as soon as possible and practicable. Incarcerated people must notify a deputy to revoke consent and document their decision with a signature.

Directive #2

If an incarcerated person has posted bail and elects to participate in this program, he or she shall notify the bail agent as soon as possible and practicable of his or her decision to participate.

Incarcerated people participating in this program will be allowed to make a phone call to arrange for transportation, or to notify their bail agent.

PROCEDURE A: Delayed Release Process

In those cases where an incarcerated person who is called for release makes a request to have their release from custody delayed pursuant to 4024(b)(1),

The releasing deputy will:

- Notify the on-duty shift supervisor.

The Shift Supervisor will:

- Complete a Delayed Release Form (Attachment 'A');
- Have the incarcerated person sign and date the 'Consent' section of the form;
- Notify classification of the delayed release;
- Place the signed form in the incarcerated person's release file;
- Enter a FORTL appointment in JMS using the 'IMMNTAPT' function;
 - If before 0000 (midnight), enter the next calendar day as the date;
 - Enter appointment time of 0900;
 - Comment will be 'Delayed Release';
- Brief the oncoming supervisor of the pending delayed release;
- Complete a JMS incident report.

The Classification Deputy will:

- Rehouse the incarcerated person or reassign them to their current housing.

PROCEDURE B: Revocation of Consent

An incarcerated person participating in the delayed release program can revoke their consent to be released as soon as possible and practicable. Upon notification from the incarcerated person that they want to revoke their consent, the housing deputy will notify the Shift Supervisor.

The Shift Supervisor will:

- Retrieve the completed Delayed Release Form from the incarcerated person file;
- Have the incarcerated person sign and date the 'Revocation of Consent' section of the form;
- Notify classification that the incarcerated person will be released;
- Forward the completed Delayed Release form to the Facility Administrative Sergeant.

PROCEDURE C: After the incarcerated person has been released

When tearing down completed release files,

Clerical staff will:

- Forward all delayed release forms to the facility Administrative

Sergeant. **The Administrative Sergeant will:**

- Scan the form and e-mail a copy to the Compliance Section SST.

The scanned copies will be entered into an electronic archive and maintained by the Compliance Section SST.