

ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE	NUMBER: 11.37	PAGES: 1 of 3
	RELATED ORDERS: MJS 1029 (6) (B)	
	ISSUED DATE: July 1, 1989	
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CHAPTER: Intake, Transfer, Release and Records	SUBJECT: Technical Escape	

- I. **PURPOSE:** To set guidelines to be used when an inmate is released in error.
- II. **POLICY:** It is the policy of the Alameda County Sheriff's Office to return to custody any inmate who is released in error as quickly as possible.
- III. **PROCEDURE:**
 - A. When an employee discovers that an inmate has been released in error, he/she will immediately notify the ITR Sergeant. The ITR Sergeant will in turn notify the Watch Commander.
 1. If, in the Watch Commander's opinion, there is a possibility that the released inmate is still in the area, a search of the immediate area surrounding the jail will be conducted.
 2. The ITR Sergeant will attempt to contact the subject by telephone and have him/her return voluntarily.
 3. The ITR Sergeant will assign a deputy to write a report detailing the circumstances of the release in error. The report will be entitled "Inmate Released in Error."
 4. The Watch Commander shall prepare a press release when appropriate.
 5. The Records Deputy will release the subject in JMS to "FLED", which flags the *JMS* files. Update the custody detail mask to "ERR REL" with the report number.
 - B. The ITR Sergeant will ensure the proper police agencies are notified:
 1. The Eden Township Substation (ETS) Investigations Lieutenant will be notified if the escape occurs during the weekdays (0800-1700 hours). The ETS Watch Commander will be advised of escapes at all other times.

2. The police agency where the inmate resides will be notified by telephone. They will be advised of the following:
 - a. All of the inmate's pertinent information (i.e., height, weight, DOB, last known address, etc.).
 - b. All information regarding our original holding authority (i.e. remand order, commitment order, charges, bail, length of sentence, etc.).
 - c. Appropriate information regarding the existence of “probable cause” to arrest the subject on the strength of the original remand, commitment order, etc.
 - d. The police agency will be requested to go to the subject’s last known address and attempt to arrest the subject.
 3. The telephone call to the police agency where the subject resides will be followed up with a teletype to the agency. The teletype will contain all pertinent information, including the fact that “probable cause” exists to arrest on the strength of the original remand, commitment, etc.
 4. The arresting agency will be given updated information when appropriate.
- C. If the inmate was in custody on a warrant only, and had not yet appeared in court:
1. The police agency which holds the original warrant will be notified via telephone and teletype, that the subject was released in error. They will be asked to reactivate the original warrant.
 2. The Watch Commander will arrange to have a copy of our report on the incident sent to the police agency holding the original warrant for inclusion in the original warrant file.
- D. As soon as possible, or the next business day at the latest, the following steps will be taken by the Records Deputy:
1. If the inmate was sentenced:
 - a. Contact the court clerk of the sentencing court and have the matter calendared.
 - b. Explain to the court clerk the urgency of the matter and request an immediate court date.
 - c. Explain to the judge the circumstances of how the inmate was released in error and request that a warrant be issued based on the original commitment.

2. If the inmate was unsentenced:
 - a. Contact the clerk of the court having jurisdiction in the case and have the matter calendared.
 - b. Explain to the court clerk the urgency of the matter and request an immediate court date.
 - c. Explain to the judge the circumstances and request a warrant based on the original remand order.
- E. If an arrest warrant is issued, the ETS investigator shall:
 1. Advise all previously notified agencies that an arrest warrant has been issued.
 2. Notify Consolidated Criminal Records so the subject's fingerprint file can be flagged.
 3. Hand-carry the arrest warrant to ETS Warrants for processing and entry into the appropriate automated systems.
- F. Upon return to custody, all agencies previously notified are to be re-contacted and advised.