

**MARIN COUNTY SHERIFF'S OFFICE**  
**COURT SERVICES DIVISION POLICY AND PROCEDURE MANUAL**

**CHAPTER 04 – INMATE HANDLING**  
CRT 04-05  
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**DATE**  
06/01/2001

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**COURT REMAND TO CUSTODY**

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**POLICY**

It is the policy of the Marin County Sheriff's Office to set forth the procedure for processing persons remanded to the Sheriff's Custody by order of the Court.

**PROCEDURE**

Persons may be remanded to the Sheriff's custody by the Court under the following circumstances:

- Remanded to custody pending further order of the Court (requires the Court to set future appearance date and address the subject's bail status.)
- Remanded to custody to serve a previously imposed sentence (Commitment.)
- Remanded to temporary custody under the general authority of the Court (Contempt.)
- Remanded to be held for the authority of another jurisdiction (Hold.)

All persons taken into physical custody by order of the Court under any one of the above circumstances shall be received by the Court Bailiff for processing only after a written order has been produced by the clerk of the court and signed by the judicial officer ordering the remand.

- No person shall be moved from the Court facilities and taken to the Jail for processing unless accompanied by the written Court order for their remand.
- All orders received by the Bailiff for remand of persons shall be checked for the following:
  - The order is for the subject in custody and clearly shows the subject's full name.
  - The order contains a case number and the charging section(s) for the subject's offense(s).
  - The order contains the terms of commitment or states the term of the subject's bail or release conditions.

- The order states any future court appearance set.
- The order is signed by the issuing judicial officer.

After receiving the remanded person, the Court Bailiff in control of the subject shall initiate the following sections:

- Take appropriate measures to control the subject for the Bailiff's safety and that of others in the courtroom consistent with the decorum of the court and the Marin County Sheriff's Office Use of Force Policy. (GO-04-06)
- Assess the subject for any physical or mental impairment, which would include being the under the influence of controlled substance and/or alcohol.
- Notify the Court Holding/Movement Deputy assigned to transporting the remand.
- Search the subject by completing a "pat search" of the person and taking control of the person's personal property other than clothing.
- Secure the subject pending transport in a Court's holding facility not occupied by housed inmate(s) or subjects of the opposite sex.
- Obtain and verify the written Court's order for remand.
- Maintain supervision of the remanded person until transported by a Court Holding/Movement Deputy for booking.
- A Court Bailiff may detain a remanded person in the courtroom pending transport when no court holding facility is available and the subject is cooperative.

Court Holding/Movement Deputies transporting and completing the booking process shall do all of the following:

- Transport the subject for booking accompanied by the written Court order and any personal property.
- Complete the necessary CMS computer data entry.
- Advise Jail booking and obtain clearance to bring the subject to the jail for booking.
  - When the jail is in "lockdown" status or clearance is not given for transportation of the subject into the jail facility, the transporting Court Holding/Movement Deputy may temporarily place the subject into a court holding cell. The subject's paperwork and property will be secured in the locked cabinets at the Bailiff's booking counter or another secure location.
- Handcuff the subject prior to entering the jail facility.
- Advise the jail booking staff of any observations regarding the subject or contraband contained in the subject's personal property.

RELATED STANDARDS:

Marin County Sheriff's Office Policy and Procedure Manual

AFFECTED DIVISIONS:

Custody Division

DATE OF REVISIONS:

January 21, 2010

By order of:

CAPTAIN DAVID AUGUSTUS  
BUREAU OF DETENTION SERVICES